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POLITICAL SCIENCE QUARTERLY

CURRENTS OF RUSSIAN REVOLUTION

ONE of the most disillusioning experiences in the world for a student of politics is to read through back files of periodicals which deal with contemporary affairs. Indeed it might be worth the time to insist that students in social fields examine for veracity and correctness of estimation five-year-old files of the more cock-sure of our evaluators of the contemporary scene. Of course Time has a way of readjusting proportion and the journalist cannot entirely be blamed for inaccuracies in emphasis, but there is often real sinning when an observer ventures to acquaint his readers with the "fundamentals" or "underlying issues" involved.

This has been particularly true of the reporting of the Russian Revolution and anyone who has followed its course or visited the country since 1917 cannot but remember the dozens of false interpretations and futile hypotheses which have confused not only outsiders, but the Russians themselves. Of course Lenin almost compelled error in evaluation by his abounding capacity for opportunism; Russia and the Russians in their complexity provided myriad opportunities for more confusion; and the successor of Lenin by the pretense of his office and by his eremitic habits has made precision and clarity still more difficult. It is interesting and significant, also, that the visitor to Russia of 1917–21 finds it almost impossible to believe the reports of the visitor of 1921–24, or either of them those of the visitor of 1924–28. Discrepancies also arise out of the special interest and the prepossession of the visitor. It is rather like the reception accorded by historical specialists to

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Mr. Wells's *Outline of History*. Each specialist felt that it was pretty shaky in his own field of interest, but a very good outline, and many a specialist still admits its considerable validity as a general synthesis. Each specially interested visitor to Russia is inclined to quarrel with the revolution in so far as it bears upon his special interest, but to admit that the revolution is going on with a general validity of its own, and for the student of society the important thing to remember is that such a revolution is going on. It is a continuing process with slow revelation of its trends and implications and it still awaits the adventurer who will give it an "Outline." At present anyone can secure convincing evidence for almost any general interpretation of the revolution towards which he is prejudiced, and on the whole he has to be forgiven.

It follows that not many observers of Russia have any answer to the question so often asked of them—"Are the Russian revolutionaries succeeding in their purposes?" They have to answer at once that the revolutionaries have changed, if not admittedly their ultimate purpose, at least their immediate policies and technique, not once, but repeatedly. They are likely to embark on long discourses as to the nature and needs of Russia and show how these have pressed upon and remoulded the creed and principles of the professedly Marxian rulers. One can wander off almost endlessly in any number of directions without really evaluating the revolution, e. g., in comparing Marxism, Leninism and Stalinism; in explaining the almost unique success of Russia in managing reconstruction without foreign loans, in spite of having suffered from revolution, blockade and invasion as well as from the War; or, perhaps most frequently, in detecting that deep chasm between bolshevism and capitalism into which many people believe we are doomed to plunge as into a veritable Armageddon.

It is for these reasons that one who has since 1917 made a hobby of following the course of the Russian Revolution and who has ridden his hobby on a recent visit to Russia should proffer with considerable hesitation some criteria for the day-to-day revelation of how Russia and her revolution act and react on each other. The suggestions below do not pretend to

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be comprehensive and are deliberately not formalized or dogmatic, for no formal system seems to explain the past of the revolution, let alone its day-to-day movements. Perhaps, however, they will serve as measuring sticks by which some present and future aspects of the revolution may be compared with what we are beginning to know of its past. It might be said at once that nearly all the revolutionary scene can be resolved into a series of dilemmas, whose interrelation it is tempting to sum up as that great one between individualism and socialism. In fact the customary observation is that Russia is, or is not, "surrendering to capitalism", and on that subject the two leading foreign correspondents in Moscow were, at least recently, fairly sharply divided. It is suggested here that perhaps in Russia, as elsewhere, we make a mistake of convenience in trying to use absolutely our terms for economic and social extremes. It would seem wiser to speak in terms of direction and admit that while in individualistic states the leaders face their familiar New Jerusalem, a general "sense of society", like an escalator moving downward against their upward clambering, carries them towards a socialized state; and that, while in a would-be-socialized state like Russia the Bolshevists still feel the glow of *their* paradise on their faces, a similarly relentless escalator powered by the original sin called individualism carries them down from the heights of 1917 to the compromises of today.

In Russia the Communist Party, which exercises what sovereign power there is, faces towards Communism, but, more modest than the British I. L. P. in its slogan, is no longer confident of "Communism in our time." Perhaps its first dilemma is that of its own political activity. The party can convert itself, and often does, into a very narrow despotism. Its insistence on internal liquidation of differences and thereafter on absolutely loyal unanimity makes it capable of such apparently dangerous action as the expulsion and exile of the most noted survivor of the orthodox old revolutionaries and the determined persecution of those who think or behave like him. It cheerfully admits and within the creed logically defends the prohibition of other parties. It has had sufficiently complete

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control of the pyramidal representative system, "weighted" to favor the cities, to enable it to get formal approval even of the extremes of its programs.

Yet the dilemma remains. The party is urban and reasonably devout in the creed and the urban youth of the state are sufficiently indoctrinated to make a more than usually tragic gap between them and their elders, few of whom are party members; but the vast majority of grown Russians are backward peasants, whose communism may extend to some village activities, but is hardly of enthusiastic Marxian orthodoxy. Peasant votes are diluted in power by the political mechanism, and peasants in their lack of expressiveness and cohesion have traditionally been the victims of organized political powers. But Russia is a closed economy and the peasants not only feed the population, but are considerably depended on to produce a surplus whose sale abroad will permit the purchase of foreign necessities and productive machinery. In view of peasant heterodoxy and the pressure on the peasants of the economic plans of government, the political question becomes: "How much dilution of peasant opinion will the traffic bear?" It is not an academic question, for on the one hand profound peasant objection is almost synonymous with peasant revolt, and on the other, slighter peasant dissatisfaction, once admitted, might engender so even a division inside the Communist Party as to make unanimity impossible. One criterion for observation, then, even in a state where elections have usually been no matter for great concern to the ruling minority, might well be the degree of party interest in election results. In 1928–29 it has been considerable. One wonders whether the victory of the Peasant Party in Rumania has revived old Social Revolutionary ambitions in Russia.

Two other general problems seem worth consideration. The first is internal. There seems to be some danger of its becoming a commonplace in the West that "Communism" or loyalty to the program of the Communist Party is a religion. While it is true that much of the generous emotional loyalty of young Russians has been enlisted in the army of eager servants of the Soviet state, there is danger of too great simplicity in

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calling this the New Religion. For one thing, the Orthodox Church has by no means lost its hold on millions of Russians who now pay directly for its total maintenance. For another, the sects have never enjoyed before such great freedom, prosperity and growth in numbers. Yet it is perhaps more important to observe a real division or dilemma in the new religion. At its orthodox core it is professedly anti-religious—one must be an atheist to be a Communist—but on the fringes it is beginning to beatify Lenin, bringing into high relief his Christ-like attributes of love and self-sacrifice and forgetting his ruthlessness and expediency. One can speculate on which character will prevail if one finds it necessary for either to do so; but in passing, it is well not to ignore a curious, if historically understandable, weakness in the orthodox atheism and materialism. When asked why a Communist must be an atheist, Stalin replied that if one has the exact certainties of science there is no need or room for religion. What is going to happen when this optimism, excusable in some circles fifty years ago, encounters the sincere humility of later scientists and, *mirabile dictu*, now even of their vulgarizers, who reiterate the hypothetical character of their generalizations? Stalin's Russia enlists the services of the professors, but attempts to ignore the tentative conclusions of modern science. Lenin was more shrewd. He pamphleteered against idealism and the followers of von Mach.

The last of the external general problems to be considered here relates to the clash between orthodoxy and expediency in the matter of world revolution. As is well known, Mr. Hoover and the American people fed starving Europeans after the war, thereby relieving the distressed American farmer and, perhaps unconsciously, stamping out "Bolshevism". They failed to turn the trick in Russia, because a number of nations, by trying force of arms first, awoke a tough Russian patriotism, and much of the mystifying difficulty faced by American Relief Association workers came from the fact that Russian Bolshevism had earned support in a way never approached by "Bolshevism" in other European areas. Nevertheless, food relief and national or international reconstruction loans stopped world

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revolution in Europe and armies checked it elsewhere, even in Moscow's favorite kindergarten, China. Now although the Soviet government cannot afford to back lost causes very seriously, Communist orthodoxy includes the Communist International, whose justification for existence is world revolution. World revolution, and this is a curious reflection on the constitutional timidity of politicians in even the most self-satisfied of states, is a more serious obstacle to Russian international relations than repudiated debts. The difficulty is not diminished by the fact that *Comintern* operates with a board of directors which draws heavily on the board of directors of the Russian state. Perhaps that is why it at present operates with the soft pedal pressed down almost all the way. Communist agitators abroad are worse off than American missionaries in China. If they get into trouble, their government will do nothing for them. Yet Stalin must seem as orthodox a Marxian as Chamberlain a Tory. The Alabama Case can be cited to balance losses from intervention against repudiated debts, but can *Comintern* be formally scotched? The question was successfully circumvented in arranging relations with the Russian-created group of nations to the south and east and even with some European states, but it still limits relations with Germany, and putative relations with the United States and Great Britain, to purely commercial terms. A variant of the dilemma outside Russia is the natural question as to guarantees against a revival of the energies of a *Comintern* now stilled in response to what might be temporary exigencies.

It would be difficult for the ordinary foreigner in Moscow to arrange anything but a somewhat private discussion of these dilemmas or problems, but it would be a far easier matter to exchange views on the economic dilemmas of what is an economists' and statisticians' paradise. They can be pretty completely summed up as variations on the theme of attempted economic (including industrial) self-sufficiency in a backward agricultural state, accompanied by fugues on the even distribution of wealth and extensive social amelioration. The Communist Party has found good stock on which to graft its social and economic designs in that fine faith in the potentialities of

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Russia which was largely defeated in pre-war days by the obscurantism of Tsarist rule, the pessimism of the *intelligentsia*, and the lethargy of the peasant mass of the population. The party's creed is that Russia is capable of complete economic self-sufficiency by selling abroad from its natural or manufactured surpluses enough to supply its special deficiencies of natural or manufactured products or of technical skill. That is why it maintains rigidly its monopoly of export and import trade to make the exchange balance, why it controls and hopes eventually to buy out a concession scheme whereby foreigners manufacture in Russia or develop its resources and public utilities, and why smuggling is economic and therefore political treason. The cloud which hangs over the realization of this legitimate and courageous design is lack of capital and technical skill sufficient to put it reasonably immediately into effect. One can call it lack of time if one prefers to think of Russia in isolation, but with foreign gold seeking investment and foreign technicians anxious to sell their services, it is more convenient to sum it all up as shortage of capital for speedy creation of the necessary productive apparatus. The concessions policy, which was enormously extended, at least in design, by the decree of September 14, 1928, is an invention whereby the party hopes to keep foreign capital and technical skill in compartments, paying very generously for it in profits and salaries, but controlling very exactly its employment. For various specific and productive purposes Russia by this device in effect borrows capital for limited periods of years with the avowed intention of buying out the foreign interest just as soon as the state, organized in one great business unit, can find the money or replace the technical skill.

While it is convenient to sum the matter up as lack of capital, that does not throw immediate light on the groups of phenomena by which the lack is demonstrated. It is out of the question to describe all of them, but the selection of two or three should indicate the dilemmas which result from the Communists' attempts to combine their political, social and economic doctrines in a land which is at once so amenable and so recalcitrant as Russia. There is more than a little truth in

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the paradox that a peasant state like Russia was one of the best places into which to introduce the Marxian experiment. Peasant toleration could be pretty cheaply bought during the destructive period of revolution and the beginnings of reconstruction. That is, a start, a chance to try Marxism, could be won in Russia more easily, let us say, than in Germany. The chance given, the real test of any such theory arose. How could it change Russia to its purposes and how adaptive could it be in reconciling itself to Russian peculiarities without overwhelming loss of character? It is this test which is going on now and which is perhaps the most exciting process of our time.

Eleven years of revolution enable the observer to make a series of fairly accurate generalizations about the Russian economic design and the material at hand from which some of the dilemmas can be demonstrated. Russia can feed herself and to spare. Russia has not the desired complete equipment for large-scale production of articles of domestic consumption. Russia cannot at present independently provide her own estimated requirements of productive machinery and transportation. In the light of present consumption Russia is deficient in supplies of cotton, wool, rubber, some kinds of leather, and some non-ferrous metals. In the light of present internal demand Russian industry and distributive machinery are inadequate to deliver *in the villages* sufficient articles for domestic consumption and for agricultural processes. Russians have a notable capacity for accepting short rations in domestic commodities. With infinitesimal assistance in foreign capital the administration has reconstructed transportation, and both industrial and agricultural production, and carried them beyond the pre-war quantitative average. Russian grain export seems unlikely for a very long time, perhaps ever, to approach pre-war figures. Land division, increased peasant consumption, the change from rye to wheat for bread, and the feeding of grains to animals contribute towards explaining the very great decline of grain available for export. The disparity between prices for grain and costs of manufactured goods *in the village* makes the peasant producer loath to sell his grain and eager to develop handicraft

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industry. The administration is stubborn in its determination to build up a socialized and a complete industrial equipment. When grain is not available to be sold abroad to pay for purchases of deficient necessities or productive machinery, the state trading monopoly intensifies the production and export of gold and precious metals, petroleum, lumber, coal, secondary agricultural products (butter, eggs, poultry, meat products, fish products, sugar and fruit), furs, and even such manufactured articles as textiles, shoes and galoshes, for which it is at the same time unable to supply domestic demands. Almost annually the proposal to import manufactured articles of consumption is mooted and regularly refused. For four years Russia has had good harvests, although that of 1928 was uneven and badly distributed for purposes of transportation. Russian capital is engaged to the limit and credit based upon it is of precariously large dimensions. Socialization through state trusts and coöperatives for industrial production has been reasonably successful, as has socialization in consumers' coöperatives. It has not been as successful in distribution. It has, of course, met almost complete negation in agriculture in spite of coöperative farms—even villages—state farms, and such large-scale farming as that of the Sugar Trust. The rich peasant, or *kulak*, is still the most efficient producer and bargainer, in spite of state assistance to the middle and poor peasants and incitement of them to class war against him.

From these generalizations two vicious circles reveal themselves. (1) The state is determined to build up and maintain self-sufficiency and socialization in industry. To do this it must purchase some raw materials and productive machinery abroad. The traditional way to secure funds for these purchases is by export of grain. The grain can be and is produced. The peasant will not part with it except for what he considers an appropriate return in manufactured goods, but will eat it or feed it to his beasts. The industrial equipment and distributive machinery have failed to deliver the goods at attractively low prices and the necessity of preserving an even national balance of trade prohibits the importation of cheaper foreign goods. Stalemate. (2) Exports of raw and semi-

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manufactured natural products of Russia have not yet sufficed to provide enough foreign funds for carrying out the state plan of industrial and transportation construction. If it is to be maintained, manufactured articles and the secondary products of agriculture must be exported in supplement. The export of manufactured articles deprives the peasant of them and makes grain collection at state prices more difficult. The export of foodstuffs means deprivation for the urban proletariat, time spent in waiting in queues, and discontent and lowered industrial production. Stalemate again.

These circles explain the proposals made to remedy them. The orthodoxy of the party explains the public answers to the proposals. The obvious fact that the basic trouble is lack of domestic capital explains the overtures to lenders abroad. The nature of the Russian political, economic and social designs explains the difficulties of extending to the lenders guarantees which they can accept and methods of capital employment which they understand.

The final grand dilemma then is: can the leaders of Russia retain the main principles and the scale in time and extent of their experiment, its main direction, and at the same time secure the foreign funds now necessary to complete it? No one should be foolish enough after the developments and achievements of 1917–1929 to predict. No one can measure the capacity for short rations of Soviet-ruled Russians. No one knows what the army thinks or whether peace will last. No one can say how continuously the curve of production will rise. No one can predict when bad harvests will come. One can take into account the stubbornness, enthusiasm and capacity which have carried Russia through previous crises. One can read the most resolute expressions of orthodoxy in policy from leading Communists and Communist congresses during the very crucial years 1927 and 1928, and one cannot find many examples of contradiction of these intentions in practice. Indeed, on the strength of the record, crisis in Soviet Russia engenders stern orthodoxy. One has to remember, however, that official orthodoxy can be accompanied by unofficial surrender of a less conspicuous sort, and it is, of course, possible that this may come.

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The present policies as announced and in action are in the main three. (1) Every effort is being devoted to increase the production for export of gold, platinum, petroleum, lumber, coal, secondary agricultural products, furs, and the manufactured articles which can profitably be sold to Turkey, Egypt, Persia, Afghanistan and China. (2) Class war against the *kulak*, in spite of his being the best grain producer, is to be maintained by heavy taxation and other means, while encouragement is to be extended to the middle and poor peasants. Agricultural coöperation is to be stimulated by credits, machinery and other concessions, but peasant discontent is to be risked by the creation (out of lands the peasants want) of very large "proletarianized" state farms. This is a doubtful experiment, but it represents an effort to secure grain for export by creating the socialized equivalent of the great private estates which before 1914 provided most of it. (3) Foreign capital investment is to be encouraged by wide extension of the concession scheme. The assumption appears to be that municipal or public utility enterprises—such as street railways, waterworks, housing, gas plants and sewage systems—and other large-scale enterprises—such as electrical and electrical machinery plants; wood-products and cellulose plants; tractor, automobile, typewriter, machine and machine-tool, airplane motor and railway equipment plants; smelting and mining—offer a suitable field for the employment of foreign capital, and that to secure it a good deal of the formality and restriction otherwise inevitable in the socialized economy can be dispensed with. It will be noticed that concessions are pretty well confined to enterprises whose capital in plant and equipment cannot be removed from Russia. The Russians have a good record for generous treatment of concessionaires and their purpose is avowedly to buy them out when their state enterprises yield sufficient dividends. This is, of course, good Leninism. It is when one comes to practice instead of plan that there are indications that still further surrender may prove necessary. There has been no Klondike rush of would-be concessionaires, although a respectable number have begun negotiations. Moreover, a somewhat new note was struck in connection with a fifty million rouble

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(minimum) housing project taken up in Moscow by a well-known New York corporation, which was a contract instead of a concession, that is, was a purchase from abroad. Of course native material and labor will be chiefly used, but a considerable sum will flow out of the closed economy. This has been characteristic of the few concessions for technical assistance in the past, but on no such public or extensive scale. On the whole, public and private advices give considerable reason for believing that a new compromise between the old type of concession and ordinary capitalistic enterprise is being evolved.

From an external and critical point of view these are the outstanding policies of the day, but within Russia they have to compete for attention with all the domestic "tasks of the Revolution". Meanwhile, the whole program of social equalization and amelioration is being pressed; production per man in industry is being stepped-up; agriculture is being improved and diversified to take some of the sting out of bad years and to profit by good ones; railway construction is going on at a high rate to facilitate distribution and relieve rural overcrowding in European Russia; increased unemployment is being deliberately faced now (rationalization of industrial processes transcends employment in importance) in the hope that industry can be expanded and consumption increased at home and abroad; and in general the Communist Party keeps its face towards communism and pretty consistently struggles in that direction. Up till now no charge of deliberate treason can be maintained against the leaders, Trotsky's charges to the contrary. They have given ground and they may give more. Their program and tempo of industrialization and socialization were too great in terms of their resources. The whole apparatus may be shaken or destroyed by bad harvests or war or an army plot. At present one can credit the revolutionaries with a consistency in aim most notable under the circumstances and one can estimate with some accuracy their progress or retreat by watching the terms of the new concessions, the balance of trade, and the character of exports and imports.

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"THE INDIAN MACHIAVELLI" OR POLITICAL THEORY IN INDIA TWO THOUSAND YEARS AGO

MOST of the gaps in our text-books of political theory are gradually being filled by the labors of the experts, but one gulf still yawns so widely, and, thus far, with so little attempt to fill the void, that I hope I may be pardoned a very humble intrusion into an unfamiliar field when I ask attention to one of the most remarkable survivals from ancient Indian literature, the *Arthaçastra*, or *Text-book on Polity*, ascribed to Kautilya, a Brahman of the 4th century B. C.

The omission of India from consideration by most writers on political science would probably be defended by the general statement that India is a land of philosophers rather than of practical politicians.[1] It may be affirmed with some plausibility that throughout the long history of the peninsula (so far as that history is to be recovered, mainly by the contributions of foreigners) *Realpolitik* has generally been subordinated to mysticism; that the people who think in terms of *kalpas* instead of dynasties, whose ideal it has been to retire to the jungles and there, by a kind of self-hypnotism, sever the nexus between the visible world (conceived as *maya*) and the eternal soul, could not conceivably be interested in questions of political administration.

It should, however, hardly be necessary to say that this view of India—and in general of the Orient—that men are here so much less concerned with the material than in the Occident—is a mistake. It is, of course, true that in India, as elsewhere in the tropics, a certain number of people find speculation more attractive than "the practic part of life". It is specifically true

[1] Dr. W. W. Willoughby's *Political Theories of the Ancient World* devotes only 10 pages to the Orient, in the course of which "India and China" are mentioned once, mainly for the sake of saying that political writings in these countries are confined to "short sentences and aphoristic sayings".

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that at a certain period of Indian history, possibly as early as B. C. 1000, there was a decided reaction of early Vedic religion and life in the direction of mysticism. *Karma-kanda* (the religion of doing) did give place in various quarters to *Jnāna-kanda* (the religion of knowing). But of this two things may be said: first, that this retirement from the world of a certain number of people for a certain period of life was in itself productive of a reaction towards the material; and, secondly, that the philosophical movement did not interfere seriously with the trend of life on the part of India at large. As J. J. Meyer puts it, the old Indian was "*ein diesseitiger Mann*". The Brahman, in particular, was never lured from practical considerations by any special tendency to speculation on the part of others. His preoccupation with courtly life was based on the belief that Throne and Altar must stand together for mutual support. His traditional interest in the meticulous ritual of post-Vedic times, while it made him "*ein geborener Tiftler*"—a hair-splitting dialectician—when it came to putting things into categories, yet retained his feet on the solid earth. Hence it comes to pass that, in the exposition of political science, and in the actual work of administration, we find the Brahman always an outstanding and extremely practical figure.

Perhaps the matter is stated more fairly and comprehensively if it be said that the Indian ideal of life was a much more fully rounded one than may be accounted for merely by some theory of reaction or natural trend. Indian writers insist continually on the importance of recognizing the *trivarga*, or threefold way of life. This includes, first, *dharma*, or religious duty; secondly, *artha*, or the cult of the useful; and, thirdly, *kama*, or the worship of the desirable. Thus the literature which contains some of the profoundest religious writings the world knows, contains also, through devotion to *kama*, some of the most licentious, and in the case of the *arthaçastras*, some of the most cold-bloodedly practical. That these elements of a complete life were held in any nicely balanced way would not for a moment be maintained. But, on the other hand, no one acquainted with Indian literature would maintain that devotion to *artha*, as emphasis on the secular, or "*irdische Vorteil*", has

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ever been conspicuously lacking. The Indian has at all times and in many various ways deified earthy good as well as spiritual reality.

The proof of this statement is to be found in a large selection of literature. We find it, for example, in the great epic, the *Mahabharata*, of which the 12th book is itself what might be called an *arthaçastra*, or text-book of political science. We find it, again, in some of the dramas, particularly in such an one as the *Mricchakatika*, or *Clay Cart*. More especially we find it in the fable collections, such as the *Pancatantra* and *Hitopadeça*, which really owe their preservation and their transmission to other lands mainly to their use as *nitiçastras*, or manuals of polity, rather than to their popularity as literature of entertainment.

But the most important body of literature upon which we may base the claims of India for consideration in the field of political science is to be found in the books known as *arthaçastras*, which may be accurately defined as *dharmaçastras* (law books) concerned with the secular rather than with the religious side of life, and still more particularly with the science of kingcraft. The author whose remarkable treatise it is the purpose of this paper to discuss mentions no less than ten predecessors in his chosen field, so it is plain that what has survived is but a small part of the political writing which had once its vogue.

There is, however, the less reason to lament our loss in the satisfaction aroused in the possession of one book which, recovered in the last twenty years, is now acknowledged by Indologists, whatever their views on authorship or date, as throwing more light on the actual details of old Indian life than any other in the whole extent of literature. This is the *Kautilīya*, or *Arthaçastra* of Kautilya, the text of which has been accessible since 1909, and of which we now have the excellent German translation completed by Johann Jacob Meyer in 1926.

But before discussing the book and its probable date, let us summarize what is known of the traditional author, Chanakya, or Vishnugupta, generally spoken of as Kautilya. To this Chanakya is attributed in a number of writings (of which the

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Vishnu-purana is one) the successful revolution by which Chandragupta, an Indian camp-follower in the army of Alexander the Great, established the Mauryan dynasty on the ruins of the Nanda dominion. Says the *Purana:* "The Brahman, Kautilya, shall root out the nine Nandas, inaugurating Chandragupta in his kingdom."

The next step, of course, is to connect this Brahman kingmaker with the treatise which bears his name. This tradition does unmistakably, declaring furthermore that the work was compiled in the evening of Kautilya's days, when he desired to put into writing the principles which had been his guide as Chandragupta's minister. He also wanted to compare his system with that of his predecessors which seemed in many respects deserving of condemnation. The traditional authorship is further attested by passages in the *Arthaçastra* itself, by the statements of the *Nitisara* of Kamandaka, and by a passage in the *Daçakumāracarita* (*Story of the Ten Princes*) of Dandin. In this latter it is expressly stated that "the science of *dandiniti* (politics) has been abridged into 6,000 çlokas by Acarya Vishnugupta for the benefit of the Maurya."

The discovery of the *Kautilīya* and the publication of the Sanskrit text by Mr. Shamasastri in 1909, followed by the discovery of other manuscripts by Mr. Ganapati Sastri, has naturally aroused a vast amount of interest in India and Europe. The work has been discussed from many different angles, and with varying conclusions. Indian writers generally, such as Shamasastri, Naryan Chandra Bandyopadhyaya, Ganapati Sastri, and Narendranath Law, generally favor acceptance of the traditional authorship and date, though Ganapati Sastri prefers the name Kaútalya to Kautilya. Foreign scholars are less unanimous. Jacobi and Meyer are inclined, with reservations, to the traditional view. Hillebrandt favors authorship by "the school of" Kautilya, or assigns the authorship to Kautilya much as Bible scholars assign the Psalms to David and the Wisdom Books to Solomon. Jolly, Winternitz and Keith are unprepared to admit a date earlier than the 3d century A. D. The objections to the older date may be succinctly stated as follows:

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1. No such person as Kautilya is mentioned by the Greek writer Megasthenes, who visited the court of Chandragupta.

2. The *Arthaçastra* contains no concrete reference to the empire of Chandragupta or to his capital Pataliputra.

3. The conditions described in the treatise seem to suit small, independent states rather than a vast empire such as the Mauryan. They certainly do not agree with what we know of the empire of Açoka, Chandragupta's grandson.

4. Terms are used which can hardly belong to so early a period as the 4th century B. C. For example, we have a reference to the name China, earlier than the Ch'in dynasty which supposedly gave its name to the Middle Kingdom. Also the reference to alchemy is regarded as an anachronism.

5. The language is not archaic enough for the period claimed as its date.

6. The name Kautilya (falsehood) is hardly one to be voluntarily assumed by one wishing to be regarded as a distinguished authority on political science.

To all these objections detailed answers have been given by Indian scholars and by Meyer. It is not necessary to discuss these further than to say that a theoretical treatment of the subject may be explained through Kautilya's desire to traverse the theories of his predecessors, and that the abounding pedantry is not unnatural to the Brahman. It may be claimed also that reference to the overlordship of a great empire is not really as infrequent as some suppose. Ganapati Sastri, as mentioned above, has contended for the form Kautalya, the proper designation of one belonging to the *kutala gotra* (tribe), but Dr. Meyer pertinently reminds us that the term Kautilya might not appear at all objectionable to the upholder of a system which regarded fraud as high policy of state. Bible readers will recall that the patriarch Jacob bore for many years without apparent resentment a name—"tripper up"—which signifies much the same as Kautilya. Again, the argument from the silence of Megasthenes is by no means conclusive, since the Greek did not come to India till after Kautilya's death and there was no particular reason for mentioning him.

On the whole, while doubts cannot be altogether excluded

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there appears to be no absolute bar to the acceptance of the Mauryan date, even if we feel, with Lippmann, that additions have been made to the kernel of the work. Yet, even if we take the latest date which has been assigned to the work, say the 4th century A. D., the importance of the *Arthaçastra* is not measurably diminished.

So we come to the book itself, a document whose interest, as already stated, is by no means confined to the history of Indian literature. On the contrary, it must be regarded as the crown of all earlier Indian experiments in the exposition of political theory, and also the predecessor—crude, if you will—of our modern treatises on the subject. It is, at any rate, an astoundingly frank and ruthless piece of writing, by one who is doubtless a pedant but a pedant who reveals himself, not only in his elaborate classifications, but as outside the boundaries of ordinary morality—"*jenseit von Gut und Böse*". It is for this reason that Kautilya has been termed "the Indian Machiavelli", though there are, it is perhaps needless to say, very profound differences between the great Florentine, with his respect for history, and the Indian writer with his theoretical obsessions. In spite, however, of these differences, one may with good warrant describe the system of the *Arthaçastra* as "*den Machiavellismus, die bedingungslose Verkundigung des 'Willens zur Macht'*".

From the general description of the book by some Indian writers we might gain but an imperfect conception of its real scope and significance. Mr. Bandyopadhyaya, for example, says it was written "to procure peace at home and prestige abroad", which sounds very well until we go into details of the process. Mr. Ganapati Sastri is more explicit. The book, he says, provides for "the protection of one's own kingdom first and, when that is ensured, enterprise for the acquisition of enemies' territories", but his "first" is not necessarily a note of time. He says further that the *Arthaçastra* is "a method of government by which a king should rule for the welfare of his millions of subjects, cautious and dexterous in preventing treachery, watching over the conduct of subjects and officials". There is a world of meaning in the two concluding participial clauses.

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It is needless now to say that the art of government, according to our author, is conceived largely as concerned with the prerogative of the king, who rules with or without the advice of his ministers. The king's authority is a matter of divine right, and no misgivings must be permitted to intrude themselves such as may weaken the exercise of the ruler's will. The king must have no scruples, even when expediency compels him to be cruel. Indeed, "he who would be great must be cruel." Hesitancy, out of a feeling of humanity, is weakness. As King Richard III expresses it in the play:

> "Conscience is but a word that cowards use,
> Devised at first to keep the strong in awe."

Nevertheless, as under other despotic systems, kingship was considered as involving service. The Indian monarch even, in some ways, anticipated the dictum of Frederick the Great that a sovereign is "the first subject of the state". In any case, the responsibility for the welfare of his people was a heavy one. He must be personally mindful of this by an unceasing fight against the six enemies of a monarch: Lust, Avarice, Pride, Anger, Drunkenness, and Insolence; against the four special temptations: Hunting, Gambling, Drink and Women. Government was to be regarded as literally *nitiçastra*, that is, the science of "leading", and this needed constant consideration for those who were to be led.

But the king was not the only element to be regarded. A kingdom needed six things in addition to the king, namely, Ministers, People, Fortifications, Armies, Treasury and Allies, though of all these the king was the foundation and source. He was the embodiment of all sovereign authority, both morally and legally. "Gods and kings are alike" affirmed the law-books. As all other footsteps vanish in the footprints of the elephant, so all other *dharma* (law) disappears in the *rāja-dharma* (the royal law). But, as already stated, the royal law is not mere caprice. The king, as the protector of the people, may be punished (in certain cases thirty-fold) for neglect of the popular welfare. To secure the general well-being it is necessary to lead a strenuous existence. Each twenty-four

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hours is divided into sixteen parts by the water-clock, and each division has its inescapable duty. Yet, at bottom, all this care for the people is but consideration for the royal prestige. For the people is "the cow which gives the milk", and if there is no cow there is no milk. For all practical purposes, the Indian king, with as much assurance as Louis XIV, could declare: "*L'état c'est moi.*"

There were four objects of government, each of which involved obligations serious enough to prevent the king from being a "leather elephant". The first was to obtain the kingdom. To this end war and conquest were among the primary duties, and in pursuit of territory right might easily become unright and unright right. Kautilya would have thoroughly agreed with Mark Twain's "Pudd'n-head Wilson": "In statesmanship get the formalities right and never mind the moralities." Secondly, it was the object of government to preserve that which had been acquired. Of the administrative measures necessitated by this I shall speak presently. It may be premised here that, by comparison with Kautilya (to quote Butler):

> "Nick Machiavel had ne'er a trick
> Though he gave his name to our Old Nick."

Thirdly, it was proper to increase what had been acquired, and this, of course, meant further conquest. Kautilya anticipates the saying of Sir Francis Bacon: "The increase of any state must be upon the foreigner." Fourthly, there must be the proper enjoyment of what has been acquired.

For the carrying-out of these four objects there were—to adopt the pedantic classification of our writer—six kinds of policy, namely: Peace, War, Neutrality, Invasion, Alliance and "*Doppelspiel*". All these are thoroughly, not to say laboriously, considered. But the fourteen books of the *Kautilīya* concern themselves with so many branches of administration, and with so many details in each of these branches, that I cannot attempt more than a summary of a few of the more significant sections. I should premise, however, that there is no part of the *Arthaçastra* which the student of political science will not find interesting from the comparative point of view.

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Naturally we begin with what concerns the royal establishment. The protection of the king's person from poisons was managed by an elaborate series of tests, in which certain animals, supposed to be extraordinarly sensitive to poison, such as the heron, cuckoo and partridge, were employed. We have also comprehensive arrangements for the regulation of the harem, including such provision as was deemed necessary against palace intrigues. The princes had, for the most part, to be kept away from temptation by being employed upon the frontiers, or anywhere away from the capital. The proper method for the selection of ministers is given in detail, and the salaries of officials set forth, from the highest to the lowest, even to soothsayers, barbers and poison-mixers. An important function of the king, such as comes under this head, was what is picturesquely described as "the eradication of thorns", a phrase which implies the ridding of the court (by methods as drastic as they were unscrupulous) of any persons likely to prove troublesome.

An important section of the *Arthaçastra* deals with the settlement of new districts and the building of new cities. These required a multitude of regulations. The land had to be graded according to its productiveness, and the wild lands, especially the elephant forests, rigorously preserved. The sites of cities were chosen largely for strategic reasons, especially near the borders. In building the greatest care was taken to have the streets and gates properly adapted for the different classes of traffic, with secret ways provided for rapid exit in case of emergency.

The raising of revenue was, of course, a matter of great importance. Most things were taxed, though there were certain immunities in the case of Brahmans, and in the case of things imported for temples and for various festal occasions. The customs service seems to have been extraordinarily efficient, and served for espionage among other things. A great deal might be said of this, and of the financial side of administration as a whole, but further mention involves more detail than there is space for. I may say, however, that great stress is laid upon the method as well as the matter of official reports.

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These must be well written, properly composed, with the use of known words. The qualities of a good piece of writing are stated with true Brahmanic meticulousness.

The raising of revenue made necessary an extensive and comprehensive system of inspection. Practically everything was under scrutiny, from the gold and jewels in the royal treasury downwards. Men who had business in the government departments were most thoroughly searched on leaving, lest by any chance they should have had opportunity to conceal a diamond or two. The rates of interest were regulated, generally amounting to about fifteen per cent. Weights and measures were standardized and offenses against just measurement severely punished. Provisions were inspected at the appointed markets and could be sold at these alone. Meat had to be sold without the bones. The products of spinning and weaving were inspected and the labors of the employees checked up, with a suitable penalty for the lazy. The manufacture and sale of intoxicating drink was regulated, home-brew being regarded as legitimate. The drink-houses had to be properly furnished, with garlands for the drinkers. No spoiled liquor might be sold, though it might be given to slaves, or used as fodder for the swine. In the light of the statement of modern theorists that the only form of government for which the philosopher can find no defense is a bureaucracy, this paternal despotism of ancient India was one to make us shudder. Yet perhaps we see the system fairly well reflected to-day in the multitudinous government offices of Washington, D. C. In India, in any case, everything that could be inspected was inspected. There were Boards of Inspection for everything, from slaughter-houses to courtesans, from cattle-raising to sports. In the case of these latter, prize-fights, whether of men or animals, were considerately patronized, and gambling was made profitable to the government by appropriation of five per cent of the proceeds. Hearing or seeing stealthily at any place of entertainment was punished with a fine. Cattle were cared for, perhaps even better than the average citizen; medical attention was provided; and sacred animals were sedulously surrounded with reverence.

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Elephants were particularly looked after, and an elephant-killer suffered the extreme penalty of death.

In matters of agriculture nothing was left unregulated, at least in theory. The royal lands were under the care of a multitude of officials, down to the merest serpent-catcher. Magical rites were performed at the proper seasons for the promotion of field fertility, and all other measures taken sufficient to ensure the three annual plowings. As in the Code of Hammurabi, there were many laws respecting irrigation, and water-rights became the cause of much litigation as well as legislation.

The legal system of ancient India seems to have had few meshes large enough to permit the smallest matter to escape the juridical eye. Legal processes were of four kinds, according as they dealt with sacred laws, customs, contracts and statutory (i. e. royal) enactments. In the courts three ministers generally sat together and decided upon the questions brought before them, such as marriages, divorces, inheritance, dues, debts and the punishment of crimes. Of these last there were as many varieties as in America to-day. Some of them, indeed, strikingly resembled those which constitute the majority of cases in our own communities, such as driving too fast, blocking the streets, and the like. It appears that "speeding" was as possible with a bullock-wagon as with a high-powered automobile. Slander was an exceedingly common offense, and one could sin in this way merely by making an ironical remark, such as: "You have a pretty face", or "You have a pretty walk". Punishments had a wide range and were generally drastic. There were fourteen kinds of "common" torture and eighteen of a "superior" (and presumably more painful) sort. Whippings, mutilations and executions were inflicted as well as fines and imprisonments. "Cooking in a copper vessel" was a pleasant experience apparently reserved for one who had offended against the laws of the royal harem.

The oversight of trade was far-reaching. The trade-routes were classified, from the Royal Road from the capital, Pataliputra, out to the Northwest, down to the humblest of trails. Waterways, moreover, were similarly dealt with, and the eight

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classes of boats. And, of course, plenty of attention was bestowed upon the long list of provisions and foodstuffs which had to be imported from abroad and inspected at the frontier posts.

Labor, again, was inspected, to an extent sufficient to arouse enthusiasm with the most jaded of bureaucrats. Boards of Arbitration and Conciliation operated for the settling of strikes, and, it is cheering to note, not only repressed tyranny on the part of employers, but also compelled the employees to fulfil contracts upon which they had already entered. Failure of many varieties was penalized. Even the physician, as in the Code of Hammurabi, was punished for an unsuccessful operation.

In his rôle as protector of the people, the king was responsible for providing against the eight visitations which were regarded as "the act of God", namely, Fire, Flood, Plague, Famine, Rats and Mice, Beasts of Prey, Snakes and Evil Spirits. Generally speaking, too, the ascetics, the sick and the aged were assisted from the royal treasury. But Kautilya was shrewd enough to see that a check was necessary upon would-be ascetics who used their vocation for the purpose of escaping liability for the support of relatives. As, again, in the Code of Hammurabi, communities seem to have been held liable for losses incurred by individuals through banditry, and many ingenious measures—including the employment of carrier-pigeons—were devised to hinder the robbers from a too successful pursuit of their trade.

A very large part of the *Arthaçastra* is concerned with the relations of a ruler to the neighboring states, which are significantly classed as stronger, weaker and equal in strength. This classification determined the policy to be adopted towards each, and all sorts of academic questions are raised and discussed in this connection, such as the comparative value of a legitimate weak king and a strong illegitimate one, and the like. Cold-blooded estimates also are made as to the respective value of friends, gold, ability, army and so on. Of the elaborate spy system, of which ambassadors themselves were but a single link, I shall have something to say later, also of the various

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methods of proceeding against an enemy stronger than oneself. These included very detailed arrangements for the sowing of discord between allies, for assassination, the use of wizardry, and so on.

Open warfare was, of course, frequently resorted to, and on this subject nothing is left unnoticed. The four arms were elephants, cavalry, chariotry and foot-soldiers. Each of these is elaborately dealt with, and the proper method for employing them in battle. There are also descriptions of the orthodox way of forming a camp, choosing the time and place of battle, laying siege to a fortress, storming a fortress, and the general strategy of attack. It is interesting to note that the Indian army had something like the equivalent for a Red Cross organization, since a body of physicians attended the march, provided with medicines, oil, bandages and instruments. There were also women who went from point to point with supplies of food and drink.

Following upon the discussion of the proper way to conquer a country, there is much debate as to how the conquered land should be treated. It is deemed exceedingly important that the displaced dynasty should be covered with as much contempt and obloquy as possible, while the new order must be correspondingly glorified.

In all this a good deal has to be effected by the use of magic. The repertoire of the weird sisters in *Macbeth* seems crude and limited by comparison with that of a poison-mixer in the old Indian court. The variety and loathsomeness of the decoctions manufactured in the pursuit of some occult end are beyond description. Some of the preparations were poisons pure and simple, but arranged under heads, so that some could be relied upon to kill on the spot, others in "half a month", and others operating still more slowly. Some decoctions, again, were devised to make a man mad, so that he could be guaranteed to bite ten men and make them mad also, these in turn continuing the endless chain as carriers of hydrophobia. Others were magically potent, enabling men to change their shape, produce flames from their body and limbs, walk upon fire, see in the dark, attain invisibility, open doors, ride the air,

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cut the bowstrings of enemies, and other feats of the sort. Magic devices for the harming of others seem to have been much more popular than magic remedies for the healing of human ills. Of these latter, however, there were recipes for the curing of fatigue by the application of magic foot-salves, and for enabling men to fast for some weeks at a time. Among therapeutic agencies we may note the use of music, and also the reliance upon the healing qualities of waving banners and uplifted standards.[1]

It would be tedious further to particularize the methods catalogued by Kautilya for the protection and strengthening of kingcraft, but, before concluding, I would like to refer to two or three special aspects of the whole subject. Of course, it is easy to spot barbarities which might be adduced as evidence of an inferior civilization. The various mutilations and brandings to which criminals were subjected is evidence enough of this, though such continued long after in lands deemed more civilized than the India of pre-Christian times. In India, too, the barbarity is tempered with some humor, since every man was branded with some symbol of his offense, the drunkard with the sign of the vintner's flag, the thief with the picture of a dog, and so forth. Nevertheless, the descriptions of execution by trampling, drowning, rack, stake and the like arouse nothing but sheer horror.

However, with all evidences of barbarity, we come across certain signs of advanced thought in legislation and administration which are worth our attention. Among these we note the consideration given to animals, especially, of course, the cow, which was spared compulsory drawing of carts and similar indignities. Village communities had a considerable degree of self-government and in fact constituted a number of little republics with whose administrative system there was the minimum of interference. Sanitation was surprisingly advanced, and medical men were placed in all the chief centres of life. Great pains were taken to prevent the spread of conflagrations, and at certain seasons of the year people were not allowed to

[1] *Cf.* the story of the Brazen Serpent in the Old Testament.

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light a fire in the house. Relief was extended by the government to widows, orphans, the sick and the infirm. Cornering in trade was severely repressed, as well as the adulteration of foodstuffs. Foreign merchants had extended to them a kind of extraterritoriality, or at least "freedom from being tried in the common courts". Slavery, while not unlawful, was much ameliorated, and it was maintained as a principle that "no Ārya could be a slave". Naturally the social status of the Brahmans was well looked after. It was, as we learn from other codes, considerably overdone, as the Brahman lived practically tax-free and in the enjoyment of a variety of other privileges.

When we have taken all the above into consideration, the main impression left upon the mind of a student of the *Arthaçastra* is still that of highly refined cunning employed in the interest of kingship, craft developed to the position of a fine art. It is this aspect of the work I desire particularly to stress, both for its own intrinsic interest and because of the influence this type of diplomacy has had upon the history of political science in general.

An English secretary of state for foreign affairs once aroused some ire by rebuking a foreign statesman for his use of lying as "high policy of state". It is clear that Kautilya would in no way have been abashed by such an indictment. "An honest politician," says the *Arthaçastra*, "is a no-thing." It is by cleverness, divorced from all morals, that kingship is to be vindicated. To quote Kautilya again: "He who shoots an arrow kills but one at best, but he who uses clever thoughts kills even the babe within its mother's body."

Hence a considerable part of this remarkable treatise is engaged in describing the "clever" ways in which a king may be expected to secure peace at home and prestige abroad. The tortoise, which at the least sign of danger withdraws its head into the shell, is to be the model for true statecraft. No one is to be trusted, not even wife or child. One might even say, *particularly* wife and child. The harem must be filled with spies and *agents provocateurs*, to get wind of the intrigues which it was expected would mature in this superheated atmosphere. As for sons, it is cynically affirmed that it is the

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nature of princes, as of crabs, to devour their parents. Therefore these, too, must be kept under surveillance and deprived as far as possible of opportunity for insurrection. Ministers, too, and all officials from the highest to the lowest, must be used as instruments for espionage, if they would not become its victims. Every public servant was subjected to tests such as only the most diabolical ingenuity could invent. He was tempted by love, by fear, by greed, by ambition, even by the obligations of his religion. If he did not succumb he must have been endowed either with more than human fidelity—or with superhuman cunning. All the affairs of the kingdom were transacted in a poisonous cloud of espionage. Disguised spies were to be found on every hand—ascetics, begging nuns, traders, foresters, peasants, prostitutes, cooks, bed-makers, jesters, dwarfs, tumblers. Even the ambassadors were spies—the most highly trained and least scrupulous of all. Nor were these spies mere observers and informers. It was theirs, by every means that could be devised, to plot and consummate the end of anyone suspected. False charges appear to have been but a commonplace method. To invent some picturesque appointment with some supposed holy man and thereupon create the occasion for employing blade or poison, was much worthier of their undoubted talents in this direction. Even the device of causing a heavy stone to fall on the intended victim's head, or to arrange for the collapse of a convenient wall, had its allurements and was worth describing in detail.

The king personally was surrounded with a choice assortment of means for the disposal of "thorns". Poisons of strange potency were always at hand, and, through the use of *mantrayuddha* and the entire *Geheimlehre* of a superstitious court, terrible revenge could be exacted at short notice and on the slightest of grounds. All kinds of trickery were practised in order to make men believe that the king was omniscient and that he worked continually in partnership with the gods.

Of course, when a war was in progress, there was still less restraint in the use of treachery. Incredible pains were taken to separate allies by the use of false witness, to stir up insurrection in the enemy's rear, and to win over the hostile com-

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manders by bribes. The handsome present of 100,000 pieces of money was offered for the slaying of a king, while even the slayer of a single foot-soldier might expect to be rewarded with twenty. The acme of political success was achieved when a king could boast that he was able "to bind the princes with fetters of cleverness and play with them at his pleasure".

And now, what is the historical importance, to which I have more than once alluded, of these revelations? Chiefly this, that the *Arthaçastra* is not only related to conditions in India, but that the *niti* of the old Indian rulers, as embodied in such treatises, became in course of time a system coveted and adopted by foreign potentates. It was exported chiefly in the form of the *Beast Fables* which, after the decline of Buddhism, became the manuals *par excellence* of statecraft for lands outside as well as within the bounds of the peninsula.

The *Beast Fables* had already had an exceedingly interesting history. Originally they were illustrations of genuine human delight in the dispositions and habits of animals, with whom companionship in the jungle was easy and familiar. It was natural, too, at this stage, that interest in the instincts of animals for their own preservation (such as finds illustration, for example, in the Book of *Proverbs*) should be taken as the basis for much primitive morality. In the preaching of the Buddha, however, another rôle was assigned to the beast stories. Gautama used them (much as Christ used the parables) for religious ends, especially for the purpose of linking his mission with experiences in earlier incarnations. Then, again, as Buddhism waned, the collections became *nitiçastras*, instead of *jātakas*, and such books as the *Pancatantra* and the *Hitopadeça* were compiled not as *sutras*, or as literature of entertainment, but for the instruction of princes in the way they should go. Such instruction was bound to take the form of inculcating craft and shrewdness rather than the higher human virtues. A policy of *divide et impera* was the inevitable corollary to such stories as that of the two jackals who broke up the friendship between the lion and the bull.[1] It seemed perfectly

[1] See the *Pancatantra*.

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natural for a Brahman, like Vishnusharman, when called upon to instruct the sons of King Sudarsana in the principles of polity, to start in with the story:

> "Sans way or wealth, wise friends their purpose gain—
> The Mouse, Crow, Deer and Tortoise make this plain."

So it came to pass that lands outside of India began to covet so effective an instrument for controlling a realm. As an illustration we may take the case of the great Sassanid ruler Khosru Nushirwan, whose ambassador in India, unable to get possession of the whole treatise in any normal way, conceived the plan of learning it tale by tale, and so transmitted to Persia what was regarded as the very quintessence of political wisdom. That, after this, the Persian collection, known as *Qalīla and Dimnah*, passed to Arabia and thence, along the highway of a conquering Islām, to North Africa, Spain and Provence, is simply a chapter in the fascinating story of the migration of fables.

The fable literature of Europe, it is true, became popular for its qualities as entertainment, yet the original purpose of the collections was never lost sight of, and almost unconsciously proceeded to color the methods of European statecraft. Kings and ministers, with few exceptions, still regulated their relations with their subjects and with foreign states by relying upon the slyness and shrewdness of the animal world instead of taking counsel with the higher qualities of civilized men, Thus weak kings learned by the example of *Br'er Rabbit* or *Reineke Fuchs* how to capitalize fraud and sow the seeds of dissension among physically stronger foes.

Perhaps it is not altogether fair, as in the implication of my title, to take Machiavelli and *Il Principe* as an isolatedly outstanding example of this method. It must be remembered that the great Florentine wrote much else beside *The Prince*. Moreover, even within the bounds of Europe, we may trace Machiavelli's indebtedness to other schools, such as that of Aragon, and earlier antecedents reaching back to Livy. But Machiavelli does indeed bring the method I am describing out into the open. His idea of "giving to politics an assured and

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scientific basis, treating them as having a proper and distinct value of their own, entirely apart from their moral value" is certainly in the spirit of Kautilya. The following quotation from *Il Principe* might almost have been abstracted from the *Arthaçastra:*

> It must be evident to everyone that it is more praiseworthy for a prince always to maintain good faith, and practise integrity rather than craft and deceit. And yet the experience of our own times has shown that those princes have achieved great things who made small account of good faith and who understood by cunning to circumvent the intelligence of others; and that in the end they got the better of those whose actions were dictated by loyalty and good faith. You must know, therefore, that there are two ways of carrying on a contest: the one by law, and the other by force. The first is practiced by men, and the other by animals; and as the first is often insufficient, it becomes necessary to resort to the second. A prince, then, should know how to employ the nature of man and that of the beast as well. . . . A prince should be a fox, to know the traps and snares; and a lion to be able to frighten the wolves: for those who simply hold to the nature of the lion do not understand their business. A sagacious prince, then, cannot and should not fulfil his pledges when their observance is contrary to his interest, and when the causes that induced him to pledge his faith no longer exist. If men were all good, then indeed this precept would be bad; but, as men are naturally bad, and will not observe their faith toward you, you must in the same way not observe yours toward them; and no prince ever yet lacked legitimate reasons with which to color his want of good faith.

Nor, of course, was Machiavelli doing anything more than to express—after the manner of "honest Iago"—the frank belief of the time. Nearly a century later than the time of the Florentine, Sir Henry Wotton wrote in the album of Mr. Christopher Fleckamore the oft-quoted epigram: "*Legatus est vir bonus peregre missus ad mentiendum reipublicae causa.*" That statecraft remained "morally suspect" long after this needs no proving by voluminous quotation. It is sufficient to remind the reader of Dryden, with his:

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"We never valued right or wrong
But as they serve our cause,"

or his:

"Art thou a statesman,
And canst not be a hypocrite? Impossible."

Or of Pope, with his:

"Statesman, yet friend to truth!"

to illustrate the general drift.

Later still, Metternich, whom some have called the last representative of the old *haute diplomatie*, spoke of the "new diplomacy", with its tendency to rely upon public opinion, as "a malevolent meteor hurled by divine providence upon Europe". Yet, however portentous the signs of the times to the Austrian statesman, diplomacy might still be described, far beyond the limits of the eighteenth century, as a game of wits, "a process of exalted haggling, conducted with an utter disregard of the ordinary standards of morality".

To what more recent times this age-long preference for the method of the beast rather than that of a moralized humanity, in matters of statecraft, may have lingered, our own experience may suggest. Chicane is by no means dead; the slogan, "Open covenants openly arrived at" is still very much of a phrase, perhaps even an illusion. "Open diplomacy" must necessarily be more or less impracticable, so long as the details of a precarious negotiation are at the mercy of an unscrupulous and partisan press.

Nevertheless, with the gradual extension of an international mind, and the coincident acquisition of an international conscience, the "old Adam" in political theory and procedure must in time be overcome and expelled. When that day dawns, we shall not have to consider the *Arthaçastra* as bearing with it the reproach of an immoral ideal, too long associated with "the dismal science", but shall rather, perhaps with some amusement, treasure it as the curious survival of a long discredited and discarded method.

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ADMINISTRATIVE STANDARDS IN DEPORTATION PROCEDURE

HISTORIANS of the law, tracing the slow course of legal development in the United States, are becoming aware of "the rise of delegated legislation, the shifting of leadership in political life from legislatures and courts to the executive, the setting up of administrative commissions with mixed powers, and the steady growth of boards and commissions with jurisdiction over what were once taken to be matters of judicial cognizance".[1] The increasing complexity of modern life has shown that justification for a path of development of the law must be sought elsewhere than in the mere fact that our forefathers followed it. Despite our best Federalist traditions, it is no longer possible to divide the provinces of the executive, judicial and legislative into separate water-tight compartments.[2] With this change has come the abandonment of the age-old subjection of all questions to controlling decision by the judiciary, at least where there is need for speedy and flexible decision and where public interest may be regarded in a manner impossible between two parties to a litigation. Thus administrative law has arisen. In the United States, administrative law may mean the law applicable to controversies between the individual and the state or the representatives of the state respecting administrative power to affect private rights and the remedies available to the individual affected; it may also mean the law applicable to the organization procedure and operations of the executive branch of the

[1] Roscoe Pound, "Social and Economic Problems of the Law", *Annals of the American Academy of Political and Social Science,* vol. CXXXVI, no. 225, March 1928, p. 6.

[2] *Vide* John Dickinson, *Administrative Justice and the Supremacy of Law in the United States,* ch. 1; R. M. MacIver, *The Modern State,* Bk. III, ch. xii, 1. A different view is taken in Frederick Green, "Separation of Governmental Powers", *Yale Law Journal,* vol. XXIX, pp. 371 *et seq.*

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government; and finally, it may include the rules of law developed and announced by administrative agencies.

In few questions involving public policy has this administrative growth been more strikingly shown than in the activities of the bureau of immigration of the United States department of labor. The courts, regarding immigration in the light of taxation and defense as a problem vital to the existence of government, have confined within narrow limits the scope of their review of the administrative decisions of immigration officials.

Progressive thinkers, otherwise alive to the futility of attempting to decide problems of modern life by century-old judicial methods, are often loath to concede the right of administrative action in immigration cases, which turn on questions of interference with personal liberty, and which may involve issues individually more tragic than those of property rights. Lawyers and humanitarians alike have joined in decrying the wide latitude allowed immigration officials, particularly in cases of deportation after entry, as distinguished from exclusion; for sending away a person already in the country may involve much greater hardship than turning him back before he has actually entered.[1] It has long been settled that the power to exclude or expel is vested in the executive department of government and may be exercised entirely through executive officers.[2] The questions arise, however, as to how far the administrative fiat of deportation allows the alien "due process of law" in the proceedings against him and how far it is used—in accordance with legislative delegation of power to adminis-

[1] "'Deportation', as distinguished from 'exclusion', is depriving a person already in the United States of a privilege which he . . . is enjoying; whereas 'exclusion' is denial of entry and does not deprive one of any liberties he had heretofore enjoyed."—*Ex parte Domingo Corypus,* 6 Fed. (2d) 336. "Deportation is the removal of an alien out of the country, simply because his presence is deemed inconsistent with the public welfare, and without any punishment being imposed or contemplated, either under the laws of the country out of which he is sent or those of the country to which he is taken."—*Fong Yue Ting v. United States,* 149 U. S. 709.

[2] The right to exclude was established in *Nishimura Ekiu v. United States,* 142 U. S. 651; also *Chae Chan Ping v. United States,* 130 U. S. 581. The right to deport was established in 1891 in *Fong Yue Ting, supra.*

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trative officials. It is to the question of constitutional right on the procedural side that discussions of deportation administration usually turn.[1] It is not proposed to advert here to the constitutional question or the problem of administrative power to affect private rights and the remedies available to the individual affected, but rather to the more neglected aspects of administrative law in deportation cases—the development of the administrative agency within the department of labor by which departmental discretion is applied to specific cases, and secondly, the development of administrative standards by rule and regulation of the department.

Congress might have provided that aliens falling within certain very definite categories should be deported from the country, but it did not. The basic act of 1917 and subsequent immigration statutes set up no definite legislative standard but enumerate in somewhat general terms those aliens who are deportable, and divide the general classifications into categories of aliens deportable within three or five years after entry to the United States and those who may be expelled at any time whatsoever after they come to the country.[2] In most cases

[1] For some of these numerous discussions, *vide* Edith Abbott, "Federal Immigration Policies", *University Journal of Business,* vol. II, nos. 2, 3, 4, March, June, September, 1924; Zechariah Chafee, *Freedom of Speech,* ch. v; Kate Holladay Claghorn, *The Immigrant's Day in Court,* chs. ix, x; Albert J. Beveridge, *Law and Order and the Administration of Justice,* Report of Sub-Committee, Republican National Committee, 1920; John Lord O'Brian, "The Menace of Administrative Law", *Proceedings,* 25th Annual Meeting, Maryland State Bar Association, 1920, pp. 153 *et seq.*; Ernst Freund, "Deportation Legislation in the Sixty-ninth Congress, *Social Service Review,* vol. I, no. 1, March 1927, pp. 47 *et seq.*; Louis F. Post, "Administrative Decisions in Connection with Immigration", *Political Science Review,* vol. x, 1916, pp. 251 *et seq.*, and *The Deportations Delirium of 1920.*

[2] Immigration Act of February 5, 1917, as added to and amended by the Acts of October 16, 1918, May 10, 1920, June 5, 1920, May 26, 1922 and the Immigration Act of 1924. The classifications are as follows:

I. *Deportation within five years of entry* (Sec. 19, Act of Feb. 5, 1917):
   1. Alien entering or found in the United States in violation of law.
   2. Alien at time of entry member of excludable class (*vide* Sec. 3, Act of 1917). This includes idiots, imbeciles, epileptics, paupers, etc.

II. *Deportation within three years of entry* (Secs. 19, 23, 34, Act of Feb. 5, 1917):

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the terms relating to the aliens who are to be deported, as members of one or more of these classes, are general, as for example, "any alien who within five years after entry becomes a public charge from causes not affirmatively shown to have arisen subsequent to entry." There is need for determination of whether or no an alien belongs to a certain class. As the statute here allows the immigration officials power to apply the general provisions to particular cases, the question of administrative discretion naturally arises.

An examination of the development of the administrative agency by which this discretion is applied to specific instances will show somewhat of the growth of administrative standards in deportation cases.[1] The statute contains no rules as to proceedings for deportation but merely states that a member of one of the deportable classes "shall, upon the warrant of the secretary of labor, be taken into custody and deported"; furthermore, "in every case where any person is ordered deported from the United States . . . the decision of the secretary of

1. Aliens entering at places or at times not designated for entry.
2. Aliens in distress from causes arising after entry, desiring to return home.
3. Seamen landing illegally, if found inadmissible when taken before board of special inquiry.

III. *Deportation irrespective of time of entry* (Sec. 19, Act of Feb. 5, 1917 and Sec. 14, Immigration Act of 1924):

1. Anarchists (closely defined and elaborated).
2. Prostitutes (closely defined and elaborated) or those connected with prostitution.
3. Aliens sentenced more than once to prison terms of one year or more by conviction here of crime involving moral turpitude committed any time after entry; sentenced to prison for one year or more on conviction here of crime involving moral turpitude committed within five years after entry; convicted or admitting the commission prior to entry of felony or other crime or misdemeanor involving moral turpitude.
4. Aliens convicted for violation of Narcotic Act of May 26, 1922, after end of imprisonment.
5. Aliens not entitled at time of entry to come in under Immigration Act of 1924 or remaining longer than their permit allows.

[1] *Deportation* in general is meant here, not the special provisions relating to Chinese or alien seamen. When "the act" or "the statute" is referred to in the text, the Immigration Act of 1917 is meant.

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labor shall be final". In one group of cases, however, such is not the case. An alien ordered excluded at the time of entry would have his case originally decided by a board of special inquiry, whose decision is final, "unless reversed on appeal to the secretary of labor: *Provided*, That the decision of a board of special inquiry shall be based on the certificate of the examining medical officer, and . . .[1] shall be final as to rejection of an alien affected with tuberculosis in any form or with a loathsome or dangerous contagious disease, or with any mental or physical disability" which would make him excludable; there would be no appeal from the certificate of the examining medical officer. If the alien were admitted and it was not found until after his arrival that he belonged to such classification, and if the discovery were made within five years, he could be deported. Such aliens are "mandatorily deportable", and even the secretary of labor cannot prevent their deportation, according to law.

In all other cases, the decision of the secretary is final. However, the statutory enumeration of the grounds for deportation prohibits deportation on grounds not covered by the statute,[2] and so the administrative authorities cannot add to the list of deportable categories by mere interpretation of the statute. Thus Regina Kornmehl reached the United States with a child who was excluded because of disease and so she too was excluded as liable to become a public charge at the time of entry as one "of a class of aliens excluded by law, in accordance with department circular No. 172, dated Oct. 19, 1897." The court in its decision[3] remarked that the clause "would seem to indicate that the inspectors rendered their decision, not because the examination of the facts led their

[1] Except as provided, "that any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis in any form or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Labor upon the giving of a suitable and proper bond."

[2] *Ex parte Guest*, 287 Fed. 884.

[3] *In re Kornmehl*, 87 Fed. 314; *vide Sibray v. United States ex rel. Plichta*, 282 Fed. 795.

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minds to such conclusion, but because they felt themselves constrained to render such decision because of some instructions from the treasury department" which said, "if any minor alien suffering with said loathsome disease is accompanied by its parents, one parent should be returned with such alien." The court then held the order unwarranted by the statute, which contained "no phraseology which can be construed as leaving the exclusion of immigrants to the mere arbitrary discretion of the secretary of the treasury or the commissioner general of immigration" and "no mere rule can operate to exclude a person not excluded by the statutes". It is of note that the rule which the court refused to allow here was later incorporated into the statute, as administrative rules so often are embodied in later statutes.

As far back as 1827 the courts decided that "in the construction of a doubtful and ambiguous law the contemporary construction of those who were called upon to act under the law, and were appointed to carry its provisions into effect, is entitled to very great respect";[1] and again, "the construction of these statutes is that given them in their practical administration by the treasury department ever since their enactment".[2] Such is especially the case in regard to the immigration acts, replete as they are with a plethora of vague terms, from "liable to become a public charge" to the now notorious "moral turpitude". Instances of administrative interpretation of such terms could be multiplied *ad infinitum*. The courts often tend to follow the interpretation of the immigration officials, as they will not interfere with administrative interpretation of "matters of fact". For instance, the court cannot inquire into a finding and certificate that an alien is physically defective[3] and a decision of the secretary, though clearly erroneous, cannot be reviewed by the courts,[4] if there was evi-

[1] *Edward's Lessee v. Darby,* 12 Wheaton 206.

[2] *Smythe v. Fiske,* 23 Wall 274; *United States v. Philbrick,* 120 U. S. 52; *United States v. Pugh,* 99 U. S. 265; *Brown v. United States,* 113 U. S. 570.

[3] *United States ex rel. Duner et al. v. Curran,* 10 Fed. (2d) 38.

[4] *In re Ota,* 96 Fed. 487.

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dence on which the decision was based. In the famous Gottlieb case, the lower court departed from the construction adopted by the immigration officials, but the Supreme Court returned to it.[1] On the other hand, the immigration officials tend strictly to follow the court interpretation of terms. Even so, there is still considerable variation in the use of terms, especially as between one immigration district and another. Thus one district will use the term "public charge" for a person sentenced to the county jail for a short term and another district will reserve the same nomenclature for only those aliens in public institutions because of lack of pecuniary resources. The immigration inspectors usually know the district judges and are apt to use such definitions as they feel would meet with the judge's approval, should the case be taken to court. The bureau of immigration in Washington occasionally sends out notices attempting to standardize to a degree at least the use of such vague terms as "liable to become a public charge."

An interesting illustration of administrative interpretation is found in the case of a man with a wife and four children in Canada and a wife and one child in the United States. When held for deportation, he was charged with being liable to become a public charge at the time of entry, despite the fact that he was a prosperous automobile salesman. The charge was upheld "as the record in the case shows him to be quite a worthless fellow, one who recognizes no responsibilities. If he were to meet his legal and moral obligations to those for whose existence on earth he is responsible, he would have little or nothing on which to support himself". Another interesting instance is found in the case of an insane woman in a public institution where she had been examined by an expert medical witness, introduced at her own expense, in accordance with statutory authority. In view of the conflicting diagnoses made by him and the officials in charge of the institution, it was decided by the bureau of immigration that "the official certificate of the institution in which the alien is confined should

[1] *Commissioner of Immigration of the Port of New York v. Gottlieb et al.*, 265 U. S. 310.

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be accepted". The question arises as to the usefulness of the provision allowing private diagnosis, at least from the point of view of the alien.

There has been considerable disagreement as to the administrative interpretation of the provisions relating to the deportation of aliens sentenced to imprisonment. In the absence of statutory definition, it was the departmental practice in the case of prisoners released on parole under convictions by state courts, to take the prisoners into custody immediately on their parole, if they were deportable for any reason. New York State objected to the practice, on the ground that it was an infringement on the right of the state to retain custody of the prisoner during the period of his parole. The solicitor of the department of labor, when asked for his opinion, advised that the practice was unauthorized by the act, and it was therefore discontinued by a general order in 1927.

Departmental discretion applied in a series of individual cases develops administrative standards which are later embodied in rules and general orders, or else calls attention to the misapplication of administrative standards, with the consequent issuance of a rule ordering cessation of a certain practice.

The powers given the secretary of labor, then, are quasi-judicial in the discretion allowed him to make final decision in individual cases. Precedent in those cases paves the way for a general rule and calls attention to its need. Thus we come upon the second kind of power given under the immigration statutes, that of quasi-legislative authority. "What distinguishes legislation from adjudication is that the former affects the rights of individuals in the abstract and must be applied in further proceedings before the legal position of any particular individual will be definitely touched by it; while adjudication operates concretely upon the individuals in their individual capacity."[1] Thus the authorities of the immigration service act judicially in designating the concrete instances which the statute describes in general terms; they also act legislatively, for the statute gives them power to fill in the details of the act by

[1] John Dickinson, *op. cit.*, p. 12.

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making rules and regulations. The commissioner general of immigration

> shall perform all his duties under the direction of the Secretary of Labor. Under such direction he shall have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction and supervision of all officers, clerks and employees appointed thereunder; he shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this act. . . . The duties of commissioners of immigration and other immigration officials in charge of districts, ports, or stations shall be of an administrative character, to be described in detail by regulations prepared under the direction or with the approval of the Secretary of Labor. . . .

The duties of commissioners of immigration and district directors of immigration are similar, but the former are appointed by the president under the terms of the Act of August 18, 1894 (28 Stat. L. 372), for service at the ports, while the latter are appointed by the secretary of labor, on recommendation of the commissioner general of immigration, according to the Civil Service Act of January 16, 1883. Immigration inspectors are appointed in the same way as the district directors, who are usually promoted from the ranks of the inspectors. There is one particularly noteworthy provision that the secretary of labor

> in the enforcement of that portion of this act which excludes contract laborers and induced and assisted immigrants, may employ, for such purposes and for detail upon additional service under this act when not so engaged, without reference to the provisions of the said civil-service act, or to the various acts relative to the compilation of the Official Register, such persons as he may deem advisable, and from time to time fix, raise, or decrease their compensation. He may draw annually from the appropriation for the enforcement of this act $100,000, or as much thereof as may be necessary, to be expended for the expenses of persons so employed and for expenses incident to such employment; and the account-

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> ing officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Labor certifies that an itemized account would not be for the best interests of the Government.[1]

The decline in volume and importance of contract labor work has meant the assignment of inspectors appointed under the provisions of this section for other duties, notably for work on the board of review.

The numerous rules and regulations made in pursuance of statutory authority show in clear relief the difficulty of a statute, supposedly complete when it left the law-making body, but yet with a mass of detail to be filled in by the legislative action of the administrative authorities. Indeed the immigration statutes seem to fall between the horns of the dilemma pointed out by Professor Powell[2] referring to the case of *Blue v. Beach*, where the anomalous rule is laid down: "while it is necessary that a law, when it comes from the law-making power, should be complete, still there are many matters relating to methods and details which may be by the legislature referred to some designated ministerial officer or body". The comparatively simple wording of the Immigration Act of 1917 concerning the power of the secretary of labor to issue his warrant for the deportation of aliens and to make final decision as to questions of deportability, and the power of the commissioner general of immigration to issue rules and regulations for carrying out the provisions of the act, have caused the development of a highly complex system of regulations and general orders promulgated by administrative officials under the quasi-legislative authority conferred on them.

Briefly, the procedure, as outlined in the rules and regulations issued by the department of labor,[3] is as follows. In all

[1] Sec. 24, Immigration Act of 1917. All the quotations in this paragraph are from the Immigration Act of 1917, Secs. 19 and 23.

[2] Thomas Reed Powell, "Separation of Powers: Administrative Exercise of Legislative and Judicial Power", POLITICAL SCIENCE QUARTERLY, vol. XXVII, p. 225.

[3] Immigration Rules of March 1, 1927.

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cases the control is highly centralized within the department of labor, but usually the report of a person's suspected deportability is sent in the first instance to the local office of one of the thirty-five immigration districts into which the United States is divided for administrative purposes in immigration matters. There investigation is made, whether in the field or in a prison, hospital or other public institution.

First of all, an immigrant inspector takes a preliminary statement from the person held as a possible deportee, to ascertain adequate grounds for deportation. At the time this statement is secured, there are none of the essentials of notice or hearing, and the alien does not have opportunity to be represented by counsel. When the preliminary information is secured, application is made, usually by telegram, to the secretary of labor for a warrant of arrest, which in most cases issues automatically.

When the alien is not confined in a public institution of any kind, he is usually held by the local police as a suspicious character until the telegraphic or formal warrant of arrest arrives from Washington. Then he is given a hearing to enable him to show cause why he should not be deported; at the hearing he is allowed to inspect the warrant of arrest and is told he may be allowed legal representation if he so desires. He must immediately state whether or no he does wish such representation, and his reply must be entered on the record. In practice, this is done at the beginning of the hearing, and if a lawyer is desired, the hearing is postponed until one is secured. Counsel may then offer evidence and objections to the argument of the government, but the reasons for such objections may be presented only in a brief which may accompany, but not be entered on, the record. If during the hearing additional causes for deportation are brought to light they too are placed against the alien.

It is this question of hearing and the fairness of its conduct to which so much attention has been turned.[1] Suffice it to say

[1] For essentials of a fair hearing, *vide Whitfield et al. v. Hanges et al.*, 222 Fed. 745.

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here that the alien, like the citizen, must have due process of law, which does not, however, include the safeguards of a criminal procedure, for deportation is not a punishment for crime. The hearing may be summary in form but the decision must be supported by the evidence and there must be no application of erroneous rules of law.[1]

The record of the hearing, complete with information as to the essential facts concerning the alien, is then sent to the department of labor from the local office, "for decision of the secretary of labor as to whether or not a deportation warrant shall issue." This reaching of the decision is aided in a noteworthy manner, not provided for in either statute or regulations. Under the authority granted by the act, deportable aliens "shall upon the warrant of the secretary of labor be taken into custody and deported"; furthermore, "in every case where where any person is ordered deported from the United States, under the provisions of this act, or of any law or treaty, the decision of the secretary of labor shall be final." To aid in this adjudication, the department of labor has developed within itself a kind of administrative court known as the "Secretary and Commissioner General's Board of Review."

The board of review is the lineal descendant of an advisory committee in the office of the secretary which was organized during the administration of Secretary Wilson in consequence of a controversy over the administrative jurisdiction of the commissioner general of immigration with reference to exclusion and expulsion cases. With the change of presidential administration in 1921 this committee was dissolved, but it was reëstablished in January, 1922, and now functions as a kind of clearing house for the thousands of exclusion and expulsion cases. At first there were five members, with Assistant Secretary of Labor Robe Carl White as chairman; now there are seven, two of whom are immigration inspectors assigned for duty on the board, with special reference to Chinese cases; the remaining five are appointed without reference to civil-service

[1] *Chin Yow v. United States*, 208 U. S. 8; *American School of Magnetic Healing v. McAnnulty*, 187 U. S. 84; *Gegiow v. Uhl*, 239 U. S. 3; *Ng Fung Ho et al. v. White*, 259 U. S. 276.

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rules, under the provisions of "Section 24" of the Immigration Act of 1917, described above.

The record of the local hearing goes to the board, one member of which reads the entire record, adds his opinion, then forwards it all to the chairman for rereading and signature. If there is any disagreement, informal discussion is held and the majority opinion recorded for the advice of the assistant to the secretary, to whom the record goes after it has left the board. The alien is given opportunity to have a lawyer or friend represent him before the board, or may even testify himself. When such representation is desired, three members of the board sit in their court room for the hearing. Labeled "Court Room" on the door, the room in which they sit has an official appearance, with its elevated platform and bench for the judges and its railing separating those presenting the various cases from the spectators. It is to be noted that the hearing is supposed to be based entirely on the record and no additional testimony is taken nor are witnesses allowed. If the record shows the need for additional testimony, the whole matter is remanded to the local immigration district, where the hearing is reopened and additional information taken. The application for a rehearing should be presented to the local immigration authorities and a court has no control of the department of labor in the exercise of its discretion in passing on such application.[1]

When the decision of the board is reached, either with or without hearing in the court room, it is forwarded with the record to one of the two assistants to the secretary for decision as to deportability. It must be remembered that the board is purely advisory in capacity and its decision is advisory only, for the power of final decision must rest in the hands of the secretary of labor. However, in point of fact, the secretary of labor but rarely sees or hears of a case of deportation or exclusion. The act of March 4, 1913, creating the department of labor, provided for the office of assistant secretary

[1] *Maniglia v. Commander of the Giuseppe Verdi et al.*, 5 Fed. (2d) 680. "The Secretary of Labor's denial of a rehearing to an alien is not reviewable by the court."—*United States ex rel. Ickowicz v. Day*, 18 Fed. (2d) 963.

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of labor, who "shall perform such duties as shall be prescribed by the secretary or required by law. A second assistant secretary was appointed by Act of June 30, 1922; two assistants to the secretary were appointed by Act of March 2, 1927. At first the assistant secretary performed the work of signing warrants of arrest and deportation; then with the increase of work in the department of labor, especially in connection with deportation, the second assistant secretary performed the work; and now the two assistants to the secretary divide the work between them. "Under the Act . . . creating the office of Second Assistant Secretary of Labor, etc., where the Second Assistant Secretary performs a duty of the Secretary, the presumption is, in the absence of proof to the contrary, that he acts within the authority conferred".[1] The question of the authority of the assistants to the secretary has not yet been tested in court, but the presumption is that their authority would be similarly upheld.

Because of the vast increase in deportation cases, it became utterly impossible for the secretary or even one of his assistants to read so many records, much less digest and decide upon them. So the practical result is that the decision rests in the hands of the extra-legal advisory board of review, for the assistant to the secretary usually accepts the recommendation of the board. However, he does not always abide by their decision and in rare instances discusses the matter with them and either is converted to their point of view or overrules them with his power of decision.

The importance of the decisions of the board may be seen from the number of cases which they read and on which they render an opinion. The figures given in the report of the secretary of labor[2] do not separate exclusion from deportation cases, but the total number of both kinds gives an indication of the work of the board.

[1] *United States ex rel. Chin Fook Wah v. Dunton*, 288 Fed. 595; *accord, Mac-Kusick ex rel. Pattivina v. Johnson*, 3 Fed. (2d) 298; also *Lew Shee v. Nagle*, 22 Fed. (2d) 107.

[2] *Sixteenth Annual Report of the Secretary of Labor for the Fiscal Year Ended June 30th, 1928*, pp. 71-72.

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> Within the past few years a system of review was devised for the purpose of checking and safeguarding the legal rights of aliens who are excluded at ports of entry and who, under the law, have a right to appeal to the Secretary of Labor, and of aliens for whom warrants of arrest were issued subsequent to their entry. . . . During the past year this board of review prepared written opinions in 38,258 cases as compared with 32,970 cases for the previous fiscal year. The number of aliens involved in these cases totaled 71,698 as compared with 59,880 for the fiscal year ended June 30, 1927. In other words, this board of review passed upon cases of approximately 5,975 aliens during each month of the past year, or approximately 250 every working day . . . the figures above include some cases that have been reheard and therefore the figures do not mean there were that many separate cases handled . . . in the case of an alien ordered deported because convicted of crime and sentenced to a year or more in the penitentiary, if, after the deportation is ordered by the Secretary of Labor and before execution, a complete pardon is received from the governor of the state under whose law he was convicted, the case would be reopened, thus appearing a second time in the record of cases reviewed. Likewise, cases may be considered or reconsidered on different occasions when evidence is presented justifying such action. The following table, however, shows just how much work was actually accomplished by the board of review:

Cases handled by Secretary's Board of Review.

Number of cases reviewed and decisions written	38,258
Number of aliens involved	71,698
Number of oral hearings by the board	1,844

Neither the act nor the regulations as printed have any instructions concerning the organization or operation of the board of review, and it is referred to only in the unprinted general orders and amendments. The first mention of it in an *Annual Report of the Secretary of Labor* was in 1927. The courts have taken but scant notice of it and have merely upheld its general position by stating that "the hearing before the board of review is merely in aid of the secretary of labor and is a lawful method of administering the duties of the department";[1] the

[1] *United States ex rel. Chin Fook Wah v. Dunton*, 288 Fed. 959.

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United States Supreme Court has not passed on its position, nor has there been court discussion even in the lower federal courts of the details of its procedure.

Whether this embryonic administrative court will receive statutory authority or not is an open question, and one to be watched by those interested in the development of administrative adjudication and legislation in the United States. Thus far the opinions of the board have not been thought to extend beyond the powers allowed, in that the secretary may appoint those whom he desires for consultation and advice regarding decision of immigration cases; yet the tendency is for the board to become more formal and for more weight to be given to its opinions than at first, and the development from an advisory committee to a body with its own "Court Room" and definite personnel is worthy of notice. Thus far there is no tendency to give it statutory authority, for in the deportation bill proposed at the first session of the Seventieth Congress (1928) and in the hearings concerning the bill there was no such possibility mentioned.[1]

When the assistant to the secretary, with the help of the board, has reached his decision, he signs the warrant of deportation, which is then sent to the local station where the alien is detained. The finding as to his deportability must appear clearly in the warrant else it is void.[2] "Thereafter," as stated in the rules, the alien "shall be deported, previous notice having been given the steamship company concerned, together with a brief description of the alien and any other appropriate data, including the cause of deportation, physical and mental condition and destination." The crux of the whole matter lies in the last word, for destination is determined by success in persuading a foreign country to take an alien back. No one

[1] H. R. 10078; also *Deportation of Aliens,* Report to accompany H. R. 10078, Jan. 30, 1928, Report No. 484 House of Representatives, 70th Congress.

For further discussion of the Board of Review, *vide* Louis Post, Unpublished MS, "Immigration and Labor Problems", pp. 153 *et seq.*; also "The Immigrant's Day in Court", speech by Hon. John L. Cable of Ohio in the House of Representatives, Jan. 27, 1925, *Congressional Record,* Appendix, Jan. 28, 1925, pp. 2684-2686.

[2] *Mahler v. Eby,* 264 U. S. 32.

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may be deported without a passport, and despite the leeway allowed the secretary by the statute as to where the alien may be sent, the question is determined by the attitude of the country to which the secretary, in his option, wishes to send the deportee. So difficult has it become to secure passports in many cases that the secretary of labor in his last annual report recommended legislative action to suspend immigration or at least further to restrict it from countries which refuse to accept back deportable aliens or unreasonably delay issuance of passports for those whose last allegiance was to their governments. Thus an administrative procedure comes to involve international relations.

The statute provides special care in deportation proceedings for ill or diseased aliens:

> When in the opinion of the Secretary of Labor the mental or physical condition of such alien is such as to require personal care and attendance for that purpose, the said Secretary shall when necessary employ a suitable person for that purpose who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in the same manner as the expense of deporting the accompanied alien is defrayed.

Then the statutory provision is amplified by a somewhat detailed and special regulation to the effect that the master of the boat to whom the alien is turned over must send back to the bureau of immigration a report as to the daily condition of the deportee during the journey, and the care given him; furthermore, another report must be sent to the bureau as to the trip from the port of debarkation to arrival at the final destination, and this report must be signed by the person who takes charge of the deportee after the attendant provided by the steamship has taken him over. The dividing line between statute and rule is here somewhat attenuated.

Such in general is the procedure by which an alien is deported from the United States, involving indeed a somewhat anomalous mixture of intermingled statutory and administrative legislation, developed from the general power of the com-

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missioner general of immigration to issue rules and regulations under the direction of the secretary of labor.

The rules and regulations as printed do not furnish the complete story of departmental regulation in immigration cases, for it is provided in the rules that the rules and regulations "may from time to time be amended, supplemented, or repealed by general orders duly issued by the commissioner general of immigration with the approval of the secretary of labor." Such general orders are issued in mimeographed form to the immigration officers in the department of labor and throughout the field, and bear the mimeographed signature of the commissioner general, "approved" and signed with the mimeographed signature of the second assistant secretary. When such general orders are amendments to the rules, the next printed edition of the rules of course contains the amended rather than the original form; other orders pertain to matters of departmental administration and are not printed. There are over one hundred such general orders on file in the bureau of immigration in the department of labor. For instance, the act relating to the border patrol is defined in a published rule, but is explained as to organization and duties in General Order No. 61, which is not published.

The complex mass of rules, regulations, general orders and supplements gives rise to the question how far they are rules of law. These executive rulings have in but few instances come before the courts, for it must constantly be borne in mind that a comparatively small number of deportation cases ever reach any court, much less the Supreme Court. The act invests the District Courts with jurisdiction of all causes, civil and criminal, arising under it. The cases come before the court on petition for a writ of *habeas corpus* when the alien or his friends can afford the expense of litigation. The poverty of many of the aliens held for deportation, and the degree of latitude allowed the administrative officials in interpretation of such terms as "liable to become a public charge", and the consequent unwillingness of the courts to overrule administrative interpretations, account for the small number of cases that come before the courts.

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When cases do arise in which court action is taken, the question of finality of the administrative regulation involved may be before the courts. As the administrative officials have authority under the statute to make rules, the court will not perform the task of the immigration officials by substituting its own determination for that of the administrative authorities. In general,[1] it has been held that executive regulations made in pursuance of an express authority of Congress become part of the body of laws of the country of which the courts will take judicial notice, and regulations made under such authority have the full force of a statute upon a private individual as well as upon a public official.[2] In this connection it is of interest to note the 1925 New York "Window Cleaners' Case", where Judge MacLaughlin presented the point of view that the legislative declaration that a rule has the force and effect of law does not make it equivalent to or equal to legislative enactment.[3] The Labor Law of New York, involved in the case, conferred on the Industrial Commission power to make rules governing the administration of its own affairs *only*. A violation of the rule of the commission, as it did not have the force of a statute, did not constitute negligence. This line between provisions whose violation does and those whose violation does not constitute negligence is adverted to in the immigration case of *Mahler v. Eby*,[4] where it is stated that greater precision is required of a statute defining and punishing crimes than of those delegating legislative power to executive boards and officers.

The few cases in which the administrative regulations of the bureau of immigration have come before the courts have held that the rules will be noticed judicially[5] and "departmental

[1] In this section I am indebted to "The Supreme Court on Administrative Construction as a Guide in the Interpretation of Statutes", note in *Harvard Law Review*, vol. XL, pp. 469-472, and to Thomas Reed Powell, *op. cit.*, POLITICAL SCIENCE QUARTERLY, vol. XXVIII, p. 46.

[2] *Caha v. United States*, 152 U. S. 211.

[3] *Louis Schumer, Respondent v. Harry Caplin, Appellant*, 241 N. Y. 346.

[4] 264 U. S. 32.

[5] *Colyer et al. v. Skeffington*, 21 Fed. (2d) 376.

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rules governing deportation procedure in so far as themselves consistent with law are themselves law and binding on the government as well as the aliens and compliance with them is essential to due process of law."[1] In accordance with the doctrine of the New York case, however, violation of such rules could not constitute negligence. Last of all, such rules obviously could not go beyond the power delegated by the statute.[2]

The present procedure for the deportation of aliens is then, a hybrid mixture of statutory rule, delegated administrative regulation and administrative interpretation of statutory construction. That the situation is satisfactory to no one may be seen in the numerous proposed changes in deportation legislation before the Sixty-eighth, Sixty-ninth and Seventieth Congresses, and in the recommendations of the secretary of labor and the commissioner general of immigration in their annual reports of the past several years.

It is of note that the changes advocated in the deportation bill[3] mentioned above showed a tendency in the direction of increased definiteness in the statute and in expansion of the causes and time limits within which deportation may occur. Thus the term "moral turpitude", so elusive of definition, was no longer used in the bill, and there was attempted clarification and more orderly arrangement, especially in regard to the somewhat haphazard and erratic listing of the provisions for deportation as embodied in the present law.

The bill, in accordance with well-developed custom, interpolated as part of the statute some of the present administrative regulations, and added other regulations to the body of the

[1] *Ex parte Radivoeff*, 278 Fed. 227.

[2] *Gegiow v. Uhl*, 239 U. S. 3; *The Parthian*, 276 Fed. 903; *United States ex rel. Jefferian v. Curran*, 297 Fed. 40; *United States v. Stump*, 292 Fed. 528.

[3] H. R. 10078, 70th Congress. The provisions of this bill were inserted by the House as an amendment to S. 5094 but in the main were eliminated in conference. As finally adopted, S. 5094 (approved March 4, 1929, Public No. 1018) appeared to have little if any effect upon the situation described in this article. H. R. 10078 remains worthy of mention because of tendencies it shows on the procedural side, from which alone it is discussed, without regard to its other merits or defects.—ED.

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act, as in the case of vesting discretion for the issuance of warrants of arrest in local immigration officials, when designated by the commissioner general of immigration. Thus proceedings for the deportation of aliens shall be begun by taking the alien into custody under a warrant of arrest issued by (1) the commissioner general of immigration or (2) any official authorized by the commissioner general of immigration to issue warrants of arrest. Every alien so arrested shall be given a hearing under regulations prescribed by the commissioner general of immigration, with the approval of the secretary of labor, before an immigrant inspector designated under such regulations. The inspector shall, under such regulations, transmit the evidence taken at the hearing to the secretary of labor, who shall make an order releasing the alien or ordering his deportation; his decision shall be based solely on the evidence taken at the hearing, except that he may send the case back to the immigrant inspector before whom the hearing was held for the taking of additional evidence, or order the case heard by another inspector. The order of deportation shall refer to the particular statutory provisions under which the alien is ordered deported, and shall briefly state the grounds upon which such provisions of law are applicable, but it is not necessary to state or summarize the evidence in the order. No alien shall be deported unless before the issuance of the order of deportation he was afforded at the hearing before the immigrant inspector an opportunity to be heard after notice upon the grounds stated in the order of deportation. The decision of the secretary of labor shall be final in every case.

The detailed provisions of the bill not only vested authority lower in the hierarchical scale of immigration officials than at present—though leaving the final decision as before to the secretary of labor—but also inserted in the statute itself many details of procedure now in use as administrative regulation. However, there was still room for administrative regulation under the power vested to make rules and regulations; it would be an interesting question, had the bill become law, whether the regulations might have had as wide a development as under the more general wording of the present act. The bill did not de-

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fine the meaning of the words "regulations prescribed by the commissioner general of immigration with the approval of the secretary of labor", which would doubtless cover as at present a formal approval by an assistant secretary of regulations formulated by another assistant. It is especially worthy of note that the board of review was given no statutory authorization of any kind.

It is probable that the continual application of administrative discretion to individual cases under any bill that might be adopted would tend to formulate administrative standards regarding deportation; these in turn would be embodied in rules and regulations in many instances and possibly finally in statute again. It is a kind of trial-and-error method of legislation which has at least the advantage of flexibility. What its final development will be no one as yet can foresee; at least such instances of administrative law as are found in the immigration statutes and procedure are no mere "brooding omnipresences in the sky" but real and definite parts of our legal system, debatable as they may be as methods of legislation.

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AN ANALYSIS OF JAPAN'S CHEAP LABOR[1]

IT would seem absurd to question the abundance of labor in a land that is overpopulated, where 61,000,000 people occupy an area smaller than the state of California, where the population is increasing at the rate of approximately 1,000,000 a year, and where subsidies are given to emigrants and all the branches of the government are engaged in seeking an outlet for the surplus population. It seems even more absurd to question the cheapness of labor under such conditions. And yet labor in Japan has been neither very abundant nor very cheap for industrial purposes.

The Abundance of Labor

It is one of the paradoxes of the Orient, of India and China as well as of Japan, that manufacturing industry suffers from a scarcity of labor. The farms are overpopulated, but labor is reluctant to enter the factory. Industry has not, in the past, been a pied piper luring the excess population helter-skelter from the farm. The workers have come most unwillingly and under pressure. Recruiting of labor for factory industry has been a necessity.

The textile industries, especially, have depended upon the recruiting agents for their labor supply. They are organized to use large numbers of women and children in the operation of the mills and these women and children, generally, have not

[1] This paper is part of a study on the development of manufacturing industries in Japan that is being made under the auspices of the Council for Research in the Social Sciences of Columbia University. It is based on an examination of Japanese records and on an investigation carried on in Japan under the direction of John E. Orchard, Assistant Professor of Economic Geography, School of Business, Columbia University. Other parts of the study have appeared as follows:

"The Pressure of Population in Japan", by John E. Orchard, in *Geographic Review,* vol. 18, July, 1928; "Can Japan Develop Industrially?", by John E. Orchard, in *Geographic Review,* vol. 19, April, 1929; "Agrarian Problems of Modern Japan", by Dorothy J. Orchard, in *Journal of Political Economy,* vol. 37, April and June, 1929.

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been available from city populations. Except in abnormal times there is no floating industrial population easily tapped by the factory industries of Japan. The factory system has been precipitated upon the nation without the gradual upbuilding of a factory population. Labor in Japan has been agricultural. The excess population has been on the farm, not concentrated in large cities, and the Japanese textile mills to a large extent have had to draw their labor force from the farming centers.

Many of the cotton mills have located outside of established industrial centers, in farming country, for the sake of their labor supply. But the local labor supply has rarely been sufficient for the operation of the factories, and labor has had to be transported from other parts of the country to the mills.

The people of Japan are essentially agricultural. They are attached to their land and loath to leave it. They are conservative and they have not taken kindly to the factory. In order to get the country boy or girl to leave the farm, poor as it is, the recruiting agents have had to paint glowing pictures of the high wages that may be earned and of the glories of dormitory life, for the recruited labor is housed by the employer in great dormitories within the factory gates. The promises of the recruiter are not generally sufficient to pry these country lads and lassies from their homes, and he must add to them a sample of what is to come, a present for the girl or boy and a loan on their wages to the parents. And having thus got their consent, he must pay their car fare to the mill and meet the sundry expenses *en route*. This matter of recruiting country labor is sufficiently difficult to induce some of the agents to make promises that are not fulfilled by their factories and otherwise to use false inducements. So great is this abuse that the government in 1924 passed regulations for the recruitment of workers by which it forbids the hiding of the true facts of employment from the worker through exaggeration or false statement by the recruiter, and the forcing of employment or other acts injurious to the good morals of the recruits. The recruiting agent is further required to give the particulars of employment as they are: hours, wages, holidays, sleeping quarters, cost of boarding, period of employment, etc. But despite regulations,

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recruits are often misled and the Commission on Women's Labor Problems of the Japanese Association for International Labor Legislation in 1926 recommended, among other measures necessary for the improvement of conditions in silk filatures, the strict enforcement of the regulations for the control of recruitment.

One of the large cotton spinning companies in Osaka pays an agent in Kyushu a commission of $3.50 a girl for recruits, and in addition pays the car fare and other items of expense involved in getting the worker from the farm to the factory. Other companies send out their own agents to bring the recruits to the factory. It is true that the advances for car fare and the loans made to the parents or to the girl herself are generally recovered by the companies in periodic deductions from the wages of the worker, but the commission to the agents and some of the presents made are expenses borne by the companies.

The expense of securing one female hand, according to estimates made by the Japan Cotton Spinners' Association in 1919, ranged from $3 to $25, and when indirect expenses were added more than $25 was needed for employing one female. Various textile mills reported in 1920–21 that the "premium for getting workers", including the commission to the agent, the railroad fares involved, gifts to the girls and advances to parents, amounted to from 8 to 12 per cent of what was paid in direct wages.[1]

The problem of securing labor for factories in this overpopulated land is somewhat more difficult than selecting a force from the waiting applicants at the gates of the mill. There are no records of the number of factory workers recruited each year, but it has been estimated that 42 per cent of all the workers under the Factory Act are living in factory dormitories.[2] It is probable that this 42 per cent also represents a fair estimate of the number of recruited workers.

[1] U. S. Tariff Commission, *The Japanese Cotton Industry and Trade* (Washington, D. C., 1921), pp. 108-109.

[2] International Labour Office, Geneva, *Industrial and Labour Information,* vol. 20, no. 11, December 13, 1926, p. 481; Shuichi Harada, *Labour Conditions in Japan,* p. 121, translated from *Shakai Seisaku Jiho,* no. 83.

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It may be said that, after all, the recruiting of raw labor is to be expected in a newly industrialized country. That is true, but Japan is a land overpopulated and industrialization has been in progress for seventy-five years, and yet the problem of securing labor is still acute. The recruited labor does not become permanently industrial. Once introduced into the factory it does not stay. It comes reluctantly and the period of service is short. Experience has shown that the girl recruits, and most of the recruits are girls—about 84 per cent[1]—return to the farm as soon as they have worked out the advance made to their parents, or have saved enough for a marriage dowry, or have completed their contract, or otherwise freed themselves of the obligation that kept them at the mill. Japanese labor not only has to be recruited to establish a mill but it must be recruited over and over, year after year, to keep the mill going.

In the early days of industry in Japan, labor was so scarce and difficult to get for industrial purposes that it was not uncommon for one factory to steal the labor force of another. If the girls could be lured from one mill to the compound of another, they were kept by the second mill as a part of their labor force, locked behind the barred gates of the mill premises. It soon became expedient for all the factories to lock their high gates and keep their girl workers strictly within the compound. And this practice of locking in the female labor still continues in most of the textile plants. Once the girl or woman has been recruited for the factory, she is not allowed to leave the grounds without permission from a company official. That the practice is more than the continuance of an old policy is evidenced by the fact that permission to leave the factory grounds is difficult to secure and does not come to any one girl more than two or four times a month.

In a recent strike against the Dai Nippon Spinning Company,[2] officers of that company stated that female operatives were not allowed to leave the factory compound more than four

[1] *Ibid.*

[2] *Trans-Pacific*, Tokyo, June 25, 1927.

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times a month. In this plant there were 2,600 girl operatives, fifteen to sixteen years of age, living in the company's dormitories and confined to the mill premises. And this company is not alone in the policy of restricting the freedom of the female workers. Officers in the plants of three other large and important spinning companies personally investigated avowed a similar policy. The girls were not permitted to leave the factory grounds except on holidays and with permission. In a fourth large spinning mill, it was stated, the girls and women were permitted to go beyond the factory gates only if the local labor union assumed the responsibility. In this particular mill, the dormitories and the factory are surrounded by a high board fence, the gates are locked at night and the only exit to the outer world is through a turnstile by the office. Whatever freedom the union has obtained for its members is under the watchful eye of the management. In the one large textile mill at which it was said the girls were quite free to come and go through the factory gates, the surrounding territory was taken up by company houses for married workers and the mill was at a great distance from Tokyo, the nearest city, and was not in the immediate vicinity of other mills. According to labor union officials, the practice of locking the girls and women behind the factory gates is well-nigh universal in the large textile mills where the female labor is so important.

It is generally claimed by employers that the restrictions on the freedom of girl workers are for their own protection, that they are young and inexperienced, and that since the management has recruited these workers from their farms and brought them to live in an industrial community, they feel a responsibility for the girls in their unfamiliar surroundings. There may be some sincerity in such claims, but the original impetus was the labor pirating of other companies, and even at the present the locked gates serve the management more than they protect the workers. Under such close supervision, it is not so easy for a girl to break her contract and return to the farm before her year is up. The young country girls get terribly homesick and many of them do run away despite their contracts. For those who remain, the close supervision and restricted freedom

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hinder the growth of unionism. If a strike is called, the dormitory workers are locked in the factory grounds and cut off from all communication with the strikers outside—the men workers and the women who live at home. Of course the workers manage in devious ways to surmount these obstacles in a serious strike, but the barred gates of the factory compound are a distinct advantage in breaking a good many strikes.

Despite these restrictions, there is a constant and heavy turnover of labor in all Japanese industries that prevents the development of any great body of skilled industrial workers. The present employers of factory labor in Japan have little more advantage in the employment of labor than their forebears, the pioneers who opened the first spinning mills and operated the first power-driven machinery. Their labor supply is scarcely more trained than the workers in the first model factories set up by the government.

In textile mills it is not unusual for the annual labor turnover to range from 40 to 60 per cent of the force. It is said that the girls generally stay from one to three years.[1] An investigation by the Japan Cotton Spinners' Association in 1919 showed that 45 per cent of the operatives remained with the mills less than one year, and only 21 per cent of the force remained over two years, the average length of stay being one year and five months.

Even the engineering trades, employing mostly male workers, show a heavy labor turnover. A factory in Tokyo producing electrical equipment had in 1926[2] a total of 101 men and 83 women workers, whose records of service were as follows:

	Men	*Women*	*Total*
Percentage employed for more than 10 years	3.0	1.2	2.2
" " " 5 to 10 "	11.9	2.4	7.6
" " " 3 to 5 "	7.9	1.2	4.9
" " " 1 to 3 "	42.6	29.0	36.4
" " " under 1 year	34.6	66.2	48.9
	100.	100.	100.

[1] Personal investigation of mills.

[2] Personal investigation.

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According to the government Bureau of Social Affairs, the labor turnover for 1925 was 58 per cent in textile mills, 42 per cent in engineering, 35 per cent in the chemical industry and 65 per cent in miscellaneous industries.[1]

Unemployment has been a serious problem in Japan only in very recent years, when the industries, overexpanded under the stimulus of exceptional war and post-war conditions, have found themselves overmanned for present industrial conditions. That the unemployment situation has not been more critical is due to the fact that many factories have made use of their high labor turnover, instead of widespread dismissals, to cut down their labor force. Recruiting has temporarily slackened.

It is the general attitude that a large labor turnover among the female labor of textile mills is inevitable. The theory is that the girls come to the factory only to earn their marriage dowry or secure a loan for their parents and that when that is accomplished they inevitably return to their homes and marry. A good many girls undoubtedly follow this course; there is little else to attach them to their jobs. But the same thing is said of young girl labor in every land, and yet there are hundreds of women who never marry or who marry and return to labor outside their homes. Half of the factory workers of Japan are females, of whom 76 per cent are over sixteen years of age.

Labor turnover is not a visitation from heaven. It has its causes in the industrial system and many of these can be eliminated. The long hours of labor, the night work, the dormitory system, the restricted freedom and the low wages of the individual are important causes. The very cheapness of the labor induces a turnover.

The Cheapness of Japanese Labor

Throughout the process of industrialization in Japan, industry has depended on so-called cheap labor. Wages have been low, working hours long, and labor, for the most part, unorganized. And yet Japanese labor has not been really

[1] Harada, *op. cit.*, p. 129.

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cheap, certainly not as cheap as it is considered by western industrialists or even by the Japanese employers.

Labor is dear or cheap to industry, not so much according to the wage per worker as according to the labor cost per unit of output. The output of the worker in Japan is low as compared with the output of workers in western countries. Though the individual worker is cheap, collective labor costs are not particularly low. The element of skill has been neglected for the cheapness of the individual. Efficiency has been sacrificed to low wages. In view of the nation's present industrial dilemma and the important part that the government has played in developing the industrial system, it is interesting to speculate what Japan's economic prospects would now be, if instead of taking immediate profit at the expense of cheap labor in the past, industry had placed the emphasis on the development of special skill adapted to the resources of the nation.

But it is not at all surprising that Japanese industrialists have failed to question the advantage of cheap labor. They, as individuals, are not primarily concerned with the future development of industry and the economic position of the nation fifty years hence. Nor has their industrial background been of a nature likely to start them questioning along these lines. Modern industry in Japan exists side by side with domestic workshops. Under the autocratic paternalism of household industry, labor receives little, if any, reward in wages. The skilled craftsmen are paid something, but the apprentices are given board and lodging and clothing, with perhaps some spending money now and then on holidays, but no daily or weekly wage. The workshop is the home of the master craftsman and the workers live as members of the family. They work long hours for little pay. The personal equation is very important. Workers are training for skill. In three or five or a dozen years they may be independent.

Only recently it was reported by the Social Work Bureau of the Home Office that there are 2,000 small domestic workshops in the Honjo and Fukagawa districts of Tokyo alone, and most of them have operated for generations under the feudal system with ten to thirty apprentices living in the home of the

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proprietor, under a definite term of service until they have learned the trade.

Most Japanese industry, in spite of the development of the western mechanical industry in the past half century, is still organized on this feudal system. Nearly all products for purely Japanese consumption are made under the family system. Japanese clothing is made in the home of the master tailor who may have twelve to one hundred workers living under his roof, to only 10 per cent of whom he pays any wage. The rest are apprentices. The same is true of the cabinet maker, the lacquerer, the lantern maker, the mat maker and the many thousands of small establishments that produce the necessities and luxuries of Japanese life.

Either the household is the factory and the work is done with the aid of apprentices, or, if the work is not highly skilled, the Japanese merchant or jobber makes use of the spare-time labor of women and children in the neighborhood, at very low pay. Japanese shoes and Japanese umbrellas and many other articles of Japanese life are made in this way. The straps for the shoes are made from strips of cloth, velvets and ribbons, cotton wadding and string. Bundles of these materials are sent out to one set of families for one operation, to another for the second operation, and so on to four different groups of workers for four distinct operations, before the strap is completed and ready for bending into shape by the merchant and before it is attached to the shoe. For the first operation the home workers get 7½ cents a hundred pairs of straps. For the second, third and fourth operations they receive 5 cents a hundred pairs. The entire labor cost amounts to a tenth of a cent a strap. It is not an important item in the cost of the product. It is extremely cheap labor.

For the umbrellas, the materials are paper and bamboo sticks, and the different operations that are necessary in the making of umbrellas are performed similarly in separate homes by the labor of women or children or old men who could not otherwise be employed.

In the raising of cocoons for the raw silk industry—Japan's major factory industry—the element of labor is largely dis-

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counted. The raw material for this great industry is raised in over 2,000,000[1] different homes with essentially family labor. The farmers' wives and daughters care for the worms during the tedious period before they spin their cocoons. As the worms grow in size they take over more and more of the home, and the family shifts as best it may for a place to sleep and eat until the cocoons are spun. Little if any outside labor is called in, for even the children can be used in this delicate work. Few farmers are raising cocoons on a very large scale, outside the working capacity of the family, and the labor element is not considered important in the price they receive for their cocoons.

Japanese industry has long had the tradition of cheap labor. The modern industries of Japan have accepted that tradition as their own, and cheap individual labor is the common practice.

Low Wages

The wage system in the modern industries varies with each industry and each factory and according to the operation. The same factory may have some workers on piece work, some on a time basis with a production bonus, some with a monthly wage and some on part piece work and part time. In all industries and practically every factory the bonus system prevails, a survival of the feudal paternalism. There are variations in the bonus practice according to the individual plant, but in general an incentive bonus is paid to the workers twice a year, in January and again in July, the amount varying for each individual according to the whim of the management and the state of business. It has been estimated that the semi-annual bonus of the average cotton mill hand in the prosperous days of 1919 amounted to $15.[2] Generally there is extreme variation in the individual amounts. In one of the largest cotton mills of the country the half-yearly bonus in 1925 varied all the way from 50 cents to $250. The July, 1926, bonus

[1] Japan, *Statistical Abstract of the Ministry of Agriculture and Forestry* (1926), p. 19.

[2] U. S. Tariff Commission, *The Japanese Cotton Industry and Trade* (1921), p. 107.

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envelopes of thirty-five workers in another textile plant, which were posted on the bulletin board of the local union for the edification of its members, varied from $3.50, the lowest, for a woman worker, to $83.50 to one of the men. Most of the amounts were on the lower scale. The workers themselves had no idea on what basis the distinctions were made.

The Japanese Cotton Spinners' Association estimated, in 1919, the semi-annual bonus in spinning plants to vary from 5 per cent to 30 per cent of the daily wage, or an addition of from 2 to 20 cents on the per diem wage of the worker.[1] But that was when the industries of Japan were in the heyday of the golden post-war boom. In ordinary years the semi-annual bonus would probably not add so much to the average wage of the worker.

The wage data of the government for 1926 for the important industries are given in Table I, and include an allowance for the semi-annual bonus. They do not represent the wage from the point of view of the worker, but rather the average wage cost per working day per worker. In such averages, the extremes exercise too great an influence for their numbers, and no allowance is made for time lost by the individual, or for minor changes in personnel. They are useful primarily as a general basis for comparison with similar figures of other countries. The average wage cost of men workers in 1926 ranged from 78 cents to $1.64 a day, and for women workers, from 37 to 63 cents a day.

An idea of wage levels from the point of view of the individual worker is perhaps better obtained from Table II, which contains a collection of the high, low and usual wages of men and women workers in fifty-nine factories visited in 1926. In the cotton spinning industry, the usual wage for a girl spinner, in 1926, was about 60 cents a day, not including any allowance for the semi-annual bonus which would add but a few cents to the daily wage. But the average daily wage per female worker in cotton spinning, according to government figures

[1] Japan Cotton Spinners' Association, *Cotton Mills and Workers in Modern Japan* (1919), p. 17.

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TABLE I

THE AVERAGE DAILY MONEY WAGE OF WORKERS IN JAPANESE INDUSTRIES IN 1926 *

(Includes wages and bonuses and cash allowances)

Industry	Number of Factories	Male	Female	Average
Ceramics	51	$1.17	$ .49	$1.08
Metals	57	1.42	.57	1.37
Machine and tools	112	1.41	.65	1.37
Chemicals	61	1.01	.46	.84
Textiles	215	.78	.47	.54
Paper	30	.93	.45	.84
Fur, bone, horn and feathers	5	1.64	.63	1.62
Wood and bamboo	24	.97	.45	.92
Food	79	.99	.46	.86
Clothing	17	.90	.50	.64
Building	2	1.61	.37	1.48
Printing and binding	30	1.01	.55	.93
Ornaments	4	1.19	.51	1.10
Electricity and gas	7	1.18	.62	1.17
Miscellaneous	3	1.09	.52	1.06
Total	697	$1.17	$ .48	$ .85

* Japan, Imperial Cabinet, Bureau of Statistics, *Résumé Statistique de l'Empire du Japon, 1928*.

for April, 1926, was 39 cents. The discrepancy discloses the weakness of the average wage. The 60 cents represents the ordinary pay of a large class of workers for each day of labor in the factory. A girl going into a cotton mill for the first time can expect to earn about 30 cents a day. After she has been there a while, she may look forward to earning 60 cents a day. If she stays a long time and becomes quite skilled, she may advance to $1.25 a day. The 39 cents is an average of the pay of all the classes of cotton spinning workers for the twenty-seven days the factories were running in April, 1926. It includes the high and the low, the skilled and the unskilled of the female workers. On this basis a mill owner pays, on the average, about 40 or 50 cents a day per girl worker. The equivalent wage per female worker in the cotton industry of the United States averaged, in 1926, from $2.09 to $4.00 a 10 hour day, or between five and eight times the Japanese wage.

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TABLE II

SOME TYPICAL DAILY WAGES IN JAPAN *

(Not including bonus allowances)

June–October, 1926

Industry	Number of Factories	Male			Female		
		High	Low	Usual	High	Low	Usual
Ceramics	11	$2.00	$ .25	$1.25	$2.00	$ .25	$ .50 to $ .90
Copper mining and smelting	2	3.50	.60	1.00 to $1.25	.65	.25	.40 to .45
Engineering	3	6.00	1.00	1.50 to 2.00	....	....	1.25
Electrical appliances	3	5.00	.50	.88	.84	.30	.60
Hardware	3	1.75	....	1.00 to 1.30	....	....	.40 to .65
Glass	3	2.50	.50	1.50	1.00	.50	....
Rubber	2	....	....	1.00 to 1.25	....	....	.75 to 1.00
Matches	2	....	....	.75	....	....	.40
Raw silk	9	....	....	....	1.30	.125	.45 to .75
Cotton spinning	3	1.50	.40	.75 to .90	1.25	.30	.60
Cotton weaving	4	1.50	....	.65 to .70	1.00	.50	.50 to .70
Wool spinning and weaving	2	3.70	....	.75 to .90	3.70	.30	.75 to .90
Printing and dyeing	4	3.00	.50	.75 to 2.40	.75	.35	....
Paper	2	2.00	....	.60 to .90	....	....	.40
Shoya brewing	1	1.75	.45	.95	.65	.38	....
Brushes	3	....	....	1.25	2.00	....	.75
Coal mining	2	....	....	1.15 to 1.30	....	....	....

* These figures were obtained by personal interview at the 59 factories listed.

The men in the Japanese cotton factories perform only the heavier and more highly skilled jobs. The bulk of the work is done by the women. A man qualifying for a job in a cotton spinning mill could expect to earn from 75 cents to $1.00 a day. The average male wage, including an allowance for the bonus grants, amounted in April, 1926, to 78 cents a day. In the United States, the male cotton mill worker in 1926 averaged from $2.65 to $4.68 for a 10 hour day, according to the part of the country in which the mill was located.

In the raw silk industry in Japan the working day is 11 hours and the ordinary girl may expect to earn in that time about 60 cents. Beginners start as low as 12½ cents a day and the highly skilled operatives may earn $1.30 a day. The average wage per female operative was in 1926 about 35 cents a day.

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In the heavier trades, the women workers earn a little more or less than in the textile trades, according to the skill of the job performed. In the making of electrical appliances, for instance, they may earn about 60 cents a day by performing operations that require considerable dexterity. The men in the engineering trades can make higher wages than in the textile industries. The work is heavier and requires much more skill and training. In ordinary engineering work, men's wages run between $1.50 and $2.00 a day for 8 or 9 hours' labor, though the very skilled may earn as much as $6.00 a day. The average wage cost per male worker over sixteen years of age in April, 1926, varied in the engineering and machine industries from $1.25 to $2.11 a day.

Wages vary from season to season, and actual wages now differ from those of 1926, but the changes have not been great. The Japanese Department of Commerce and Industry index of wages in the thirteen principal cities of the empire indicates only small changes in wage levels in the past two years.

For all ordinary purposes, Japanese wages may be said to range from 30 to 80 cents a day for women, and from 50 cents to $2.00 a day for men. The significance of these figures lies, for the workman, in their relation to the cost of living; and for the employer, in their relation to total labor costs. In most Japanese mills the wage is only one part of the direct labor costs, for the workers receive additional reward in the form of free lodging, food at below cost, clothing or other necessities. Even the most modern Japanese factories are not free from the old feudal custom of boarding and lodging the help.

In the textile industries 61 per cent of the workers live in dormitories, maintained for the most part by their employers, and they receive in addition to their wage free lodging, board at less than cost, and sometimes clothing and other items at reduced rates. Those who do not live in the factory dormitories often receive an allowance for food or can buy their rice at cost from the company or their clothing at reduced rates. In the other industries the dormitory system is not so prevalent. In engineering, less than 4 per cent of the workers live in company dormitories. In the chemical industries 9 per

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cent are housed, and in foodstuffs 34 per cent. Of all the workers under the Factory Act, 42 per cent receive, in addition to their wages, free or partially free lodging from their employers.[1]

In an investigation by the government Bureau of Statistics in October, 1924, including 74 per cent of all the factory workers and covering 7,000 factories of from 54 to 227 workers but excluding the larger textile mills, it was found that 46 per cent of the factories provided board and lodging, 25 per cent provided clothing, and 3 per cent gave rice to their employees in addition to their wages. Others provided either board only, or lodging only.[2]

Men are housed or boarded to a much less extent than women. Some companies provide houses at low rental for married employees and some provide dormitories for their unmarried male workers, but generally the men and boys are not housed except in cases where the plant is located away from the centers of population, or in mines. They do, however, in many cases, receive some form of indirect wage, or a higher money wage to equalize their compensation.

In the refining of metals and in mining, both male and female workers are generally lodged at low rentals in company towns. In other industries it depends on the location of the plant and no general rule can be applied, though there is less "welfare" in the engineering industries and industries in which men are used primarily, than in industries dependent on cheap female labor, or located away from easy reach by city populations.

A large percentage of Japanese workers in one way or another can count on something more than the daily wage to meet living expenses; and the Japanese employer must count on paying out, in addition to the daily wages of his employees, considerable sums in the form of board or lodging for the full reward of his workers.

[1] *Industrial and Labour Information, op. cit.*, vol. 20, no. 11, December 3, 1926, p. 48; Shuichi Harada, *Labor Conditions in Japan*, p. 121.

[2] *Industrial and Labour Information, op. cit.*, vol. 22, no. 4, April 25, 1927, p. 153.

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Wages in Relation to the Cost of Living

The country girl who comes to the cotton mill, a raw recruit from the farm, receives 30 cents a day as wage, and in addition her lodging at the company dormitories, free or partially free. Her food in the mill dining hall costs her about 9 cents a day,[1] which, though less than its cost to the company, amounts to about 36 per cent of her income. Her daily wage of 30 cents is paid her only for the days she labors. For the rest days and holidays and sick days she receives no pay, but her food costs are deducted from her pay for each of the 365 days of the year. Thus she has only about 16 cents[2] a day for the rest of her living expenses, her clothing, the payments on the loan to her parents, or on the advance of car fare, or the accumulation of the marriage dowry. Sixteen cents a day does not provide her with an extravagant living. The girl who earns 60 cents a day is better off, and that is the wage of a large class of workers. But when the cost of food has been deducted from her pay, her income amounts to but 41 cents a day or $150 a year. It is not much, even to a country girl, especially when she is in debt and must clothe herself and meet sundry other expenses. The men workers in the textile mills get higher pay, but they will feed and lodge themselves and often have a family to support.

In the engineering trades, where the wages are generally higher and less is done for the worker as indirect reward, the individual wage is still low in reference to the cost of living. If 15 cents[3] is taken as the daily cost of food for one worker —and that is about what the large textile mills allow in their budgets—the man who earns $1.00 for each day of labor uses 17 per cent of his income just to keep himself in food. A wage of $1.00 a day amounts to about 88 cents[4] a day in income, and 15 cents is not such a trifling sum in such a budget.

[1] Estimate given by officers of several mills investigated.

[2] Estimate based on 52 rest days and 7 holidays, a working year of 306 days.

[3] Estimate given by several large textile mills investigated.

[4] On the basis of 325 working days in a year, the number of rest days in engineering being less than the number in cotton mills.

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If he has but a single dependent, there is only 58 cents a day after both have been fed, to provide lodging and clothing, medicine and amusement, and all the other necessaries of life. The more skilled worker who can earn $2.00 is much better off, but the number in this class is not large. The greater part of the labor force of Japan is being paid on the lower level of wages, largely because so much of it is unskilled and untrained, raw agricultural labor with little industrial experience. The low level of the average wages published in the government reports on wages is influenced by this fact. There is no denying the cheapness of the individual worker in Japan. The question at issue is not "are wages low", but "is the collective cost of labor low?"

Labor Costs

Under the dormitory system all the needs of the worker are supplied under the supervision of the company. Besides board and lodging, if the girl has not completed her compulsory educational requirements, and many of them have not, education is given by company teachers. Since the workers are locked behind the factory gates, for their own and the company's good, they must make all their purchases at company stores; patronize company hairdressers, an important part of the Japanese girl's toilet; bathe at the company baths; be attended by the company doctor; in fact, supply all their necessities and pleasures from the company sources. For most of these things the workers pay in full, but the organization is provided by the company and it constitutes a heavy and unwieldy overhead expenditure that must go on whether business is good or bad, and that cannot be contracted except after considerable delay and probably some loss.

The Kanegafuchi Spinning Company, one of the largest textile companies in the country, and one which provides a complete mill village within the gates of each factory, published in 1919 some figures of its expenditures for welfare. The amount for dormitories was $110,000, for hospitals and sanitation $131,000, for welfare accommodations $142,000, and for loss on meals served at below cost $434,000, or a total of $817,000

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for the half year. The payroll of the company for the half year would probably amount to about $3,250,000,[1] making the amount spent in additional payments for labor about 25 per cent of the payroll.

In 1919 the Japan Cotton Spinners' Association estimated the cost of lodging and medical care in a cotton mill to be about 11 cents a day per operative, and in addition 10 to 15 cents a day per operative would be spent for food. The entire cost of maintenance was estimated at from one-fifth to one-half of the operative's wage, but generally one-third.[2] Two mills investigated by Mr. Chalmers in his report to the Tariff Commission in 1921 gave as the cost of providing board and lodging for their workers, between 42 and 43 per cent of the direct wage.

The dormitory system has tremendous advantages for the manufacturer. By this means he is certain of his labor force from day to day; absenteeism and lateness are under check. It permits him practically to double his capital by operating the machinery night and day. The leisure as well as the working hours of the employees are under his control. Labor unionism is barred out, strikes are difficult to call. There is opportunity, if he cares to use it, for vast industrial experiments with labor.

But the dormitory system is also a two-edged weapon. It is a breeder of discontent and labor turnover. It smacks of being a prison. The workers chaff under their restricted freedom; they rebel against the institutional food. Every labor union in the country has marked the dormitory system for attack. Every strike is characterized by complaints about the restrictions of freedom and the poor quality of food.

[1] Estimate based on data in *The Kanegafuchi Spinning Company Ltd., Its Constitution and How It Cares for Its Employees and Workers* (October, 1919); and Japan, Finance Department, *Financial and Economic Annual* (1921). The number of workers in the Kanegafuchi mills in 1919 totaled 8,300 males and 32,783 females. The average wage for male operatives in the cotton spinning industry according to government figures for 1919 was 1.30 yen a day, for females .95 yen a day. The average number of days worked in the half year was 155.

[2] *Cotton Mills and Workers in Modern Japan, op. cit.*, p. 17.

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Some of the dormitories are quite pleasant places, except that they are all under the shadow of their factories. They are clean and airy and they have small gardens about them, careful sanitation according to Japanese standards, and various social features. But some are not well kept. Too many girls are crowded together into one room for sleeping quarters. The night and day shifts share the same quarters, the same bedding. This is not often true, but it does happen. Sanitation is careless. The food is bad, or if not bad, unpalatable. In the best of factories it is a source of dissatisfaction and unrest. The usual meal consists chiefly of rice, potatoes, *daikon* (a kind of pickled radish) and tea. One company described the menu of its domiciled employees as follows:

"The boiled rice is served in large casks and there is no limit set as to the quantity to which any one can freely help himself. Food other than rice is generally served in dishes, and four times a month it is provided without limit.

"Besides the food above stated, a bean soup, pickles, preserved plums, boiled beans and peas are provided free of charge."[1] There is no lack of quantity, but little variation and generally a lack of protein and green things. The workers, weary from a day of ten or eleven hours' labor, often leave much of the food untouched.[2]

Labor unionism is gradually getting inside the factory gates and domiciled workers on strike are a distinct liability. Social agencies besides the labor unions are agitating against the abuses of the dormitory system. The press has given the textile industry unwanted publicity in several food and sanitation scandals. There have been cases of poisoned food, unhealthy sanitation, crowded sleeping quarters. The abuse has been sufficient to cause the government to take action. Regulations on sanitation in dormitories, the size and occupancy of bed rooms, separate accommodations for separate shifts, etc., were

[1] *The Kanegafuchi Spinning Company, Ltd., op. cit.*

[2] Observations made during personal investigations in mills, corroborated by members of a woman's investigation committee of the Japanese Association for International Labour Legislation.

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put in force in May, 1927.[1] The labor movement is demanding complete abolition of the dormitory system. It seems likely that the manufacturers will be forced to make radical changes in the housing of their employees.

There is another labor cost for Japanese manufacturers that is not generally met with in other lands. It is the discharge allowance that the worker expects whatever the cause of his dismissal. Curiously enough, there seems to be somewhat generally a recognition of industry's responsibility to the worker for his job and the worker's right to indemnity against the loss of that job. The factory act of 1923 requires fourteen days' notice of discharge or fourteen days' pay, but this practice is quite outside the provisions of that act. It is undoubtedly a relic in modern industry of the industrial code of the feudal household industry of old Japan. There is no fixed amount or uniform practice, and it is impossible to estimate how much the discharge allowance adds to the cost of labor. The amount varies from year to year and from one mill to the next, but it becomes at times a considerable sum.

Following the financial depression of 1927, the Kawasaki Dockyards in Kobe were forced to let out 3,000 men because of financial difficulties in the company. The dismissed men were paid a total of $250,000 in discharge allowances,[2] or an average of $83 each. In December of the same year, the Yawata Iron Foundry in Kyushu let out 700 men, to whom it paid $458,000 in discharge allowances in addition to the usual year-end bonus. The highest individual discharge allowance in this case amounted to $2,000, the lowest to $65, and the average to $690.[3]

Even in the case of strikes, dismissal allowances are paid to workers. In June, 1927, the Dai Nippon Spinning Company was involved in a strike of 3,000 of its operatives. The strike lasted forty days and was finally ended with a signed agreement by the company in which were promised:

[1] *Industrial and Labour Information, op. cit.*, vol. 22, no. 7, May 30, 1927, p. 356.

[2] *Trans-Pacific*, Tokyo, July 30, 1927.

[3] *Ibid.*, December 17, 1927.

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(1) Better treatment of operatives including better food and more freedom.

(2) Some money allowance to returning strikers considering their condition during the strike.

(3) No further dismissals for participation in the disturbance.

(4) The payment of $10,900 as dismissal allowance to eighty-eight workers discharged because of their strike activities.[1]

The famous strike of the Noda Shoyu Brewing Company lasted 217 days, the longest strike in the history of Japanese labor, and there was much bitterness on both sides. It was finally lost by the strikers, but the company paid $190,000 as discharge allowances to the dismissed strikers. The number of strikers dismissed in the course of the strike was 1,047. Of these 300 were reinstated and the remaining 747 were given more than $200 each on the termination of the strike. The rest of the sum, about $40,000, was to go to the strike fund of the union, though the company refused to recognize that union.[2] Despite the indemnities and the payments to the union, Japanese labor considered the strike lost and had no feeling of victory. An American union able to force such terms from an employer at the termination of an unsuccessful strike would at least claim that a moral victory had been won for the principle of industry's obligation to the worker.

In the Hamamatsu strike of 1926, the Japan Musical Instrument Company paid $19,000 as dismissal allowances to the strikers. In the Toyo Muslin strike, in August of the same year, the company agreed to pay $300, in addition to the regular dismissal allowance, to each of the eight discharged leaders of the strike. In a potters' strike, in Nagoya in the summer of 1926, the strike demands included dismissal or resignation allowances amounting to thirty days' earnings for the first year of service and three days' earnings for each additional month of service. In the strike against the Truscan Steel Company of Japan, the strikers in September, 1926, demanded thirty

[1] *Ibid.*, July 23, 1927.

[2] *Ibid.*, April 28, 1928.

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days' wages for discharge after six months of service, and for more than one year's service sixty days' wages plus seven days' wages for each additional month of service.[1]

There is a strain of paternalism running through all Japanese industry that is as distinctly a part of the new industrial system as of the old. It is the Japanese way of thinking, and it is responsible for the feudal character of labor relations in modern industries, for the dormitory system, the semi-annual bonus, the food and rent subsidies, the discharge allowance. Japanese employers are slow to discharge their workers in times of depression. They will carry the full force of workers and all the overhead of dormitories and dining halls involved throughout a period of depression. They take pride in not dismissing employees because of business depression. It may be because the financial penalty involved acts as a stimulus against frequent discharges; or it may be that the employers can depend upon the rapid turnover to reduce their force to the requirements of business; or they may hold on to their workers in bad times because of the difficulty of recruiting them back again when business recovers; but it is also probable that a feeling of responsibility, a survival of the paternalism of the master craftsman, makes them loath to discharge their workers. The low wages of the workers make them dependent upon the employer. He is not quite free to give them abrupt notice of dismissal.

The Japanese employer must pay for his cheap wages in many ways. If, as is estimated, the semi-annual bonus adds from 5 to 30 per cent to the direct wage, and the labor turnover and recruiting system add another 8 to 12 per cent, and the dormitory system with all its adjuncts puts on 20 to 50 per cent more, and discharge allowances together with the alternative cost of maintaining a full force in times of depression add an unknown additional amount to the labor costs, the cheap Japanese labor must cost somewhere from 33 to 92 per cent more than is apparent in the money wage. (See Table IX.)

[1] The demands of the Pottery Union were obtained directly from the union officials. The records of the other cases were reported in the *Japan Advertiser*, Tokyo, August 9, 1926; August 11, 1926; September 17, 1926.

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The data for these estimates are admittedly incomplete, but it is probable that the lower limit of 33 per cent is no exaggeration of the extra costs. How much more the labor costs of the Japanese employer are, it is difficult to say. The range of the estimates is too wide to mean anything except that very little is really known about the problem as a whole, even by manufacturers. All that can be safely said of the cost of the cheap wage system is that it is greater than is immediately apparent, and probably by a considerable amount.

Hours of Labor

In addition to the low daily wages of Japanese labor, the hours of labor are long. The background of hours is very similar to the background of wages. The tradition of the domestic workshop is the long working day. Fourteen, sixteen, even eighteen hours a day the workers labor. It is not unusual at ten o'clock at night to see apprentices still at their tasks in the shops of master tailors, cabinet makers, and other craftsmen of the old order. In busy seasons they will often work till midnight.

Partly because of this background and partly because of the scarcity of capital for the purchase of machinery, but probably more because of the belief that long hours make for lower labor costs, the hours of labor in modern industries in Japan, though not so long as in the domestic workshops, do not conform with the general practice of western nations. Up to the present much of the pressure for their reduction has come from outside the country, either through international conferences or through the ideas of western working conditions and labor union standards introduced by Japanese intellectuals and labor leaders who have studied abroad. The international standards established at the Washington Hours Conference in 1919 have been a strong influence on labor legislation and a stimulus to the labor movement of Japan.

A census of working hours in Japanese factories was taken in October, 1924, by the government and according to the findings 45 per cent of the factory employees were working more than 10 hours a day. In the textile industries, where

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more than half the factory workers are employed, 75 per cent of the operatives had a working day of more than 10 hours, and 31 per cent were employed between 11 and 12 hours a day. In the engineering industries, employing less than 20 per cent of the workers, the working day was between 8 and 9 hours. (See Table III.)

The factory law as amended in 1923 came into effect in 1926 and set a new standard of working hours for women and young persons under sixteen years of age in place of the previous 12 to 14 hour day permitted by the act of 1911. The new law set the limit at 10 to 11 hours' labor. The general principle established was for 10 hours of labor and 11 hours' attendance, but exceptions are permitted for the textile industries until August, 1931. In the manufacture of raw silk, silk fabric for export and cotton spinning, the factories are permitted to work 11 hours a day, provided there is no night work. That means that more than half of the specially protected group—the women and young persons under sixteen years—will not receive the full protection of the 10 hour law until August, 1931.[1]

In actual practice the raw silk filatures do not depend on night work and the usual working day is 11 hours of labor, 12 hours' attendance. The cotton spinning mills are mostly organized on a two-shift basis of day and night work, and the working day and night are 10 hours of labor, 11 hours' attendance. The large concerns in the heavy industries, employing mostly men, are organized in general on an 8 or 9 hour day, but most factories employ their labor for more than 9 hours a day and the average in 1927 was 10¼ hours.

While the western nations, and in particular the cotton factories of the southern United States, do not keep faithfully to the international standard of the 8 hour day and the 48 hour week, the general practice enforced by the labor unions is much nearer that standard than in Japan. Not only is the working day of Japanese labor longer, but the work week of always six and sometimes seven days is longer than western

[1] Estimated from data in Japan, Department of Agriculture and Industry, *Statistical Report of Factories*, 1924 (in Japanese).

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TABLE III

HOURS OF WORK PER DAY IN JAPANESE FACTORIES SHOWING THE PERCENTAGE OF WORKERS AFFECTED

From the Census of Labor, October, 1924.*

Industry	Total Number of Workers	Per Cent of Operatives Working					
		Less than 8 hours	8 to 9 hours	9 to 10 hours	10 to 11 hours	11 to 12 hours	12 to 14 hours
Ceramics	49,990	14.4	40.2	34.8	9.7	0.7	0.2
Metals	74,088	19.0	55.8	16.8	7.9	0.4	0.1
Machine and tools	202,996	24.5	63.8	11.0	0.5	0.1	0.1
Chemicals	58,241	16.3	40.2	29.1	13.8	0.6	..
Textiles	735,713	0.2	1.4	25.1	41.1	30.6	1.6
Paper	27,812	4.4	5.6	19.9	68.8	1.3	..
Food	69,162	11.4	71.5	9.8	6.8	0.5	..
Clothing	25,770	5.9	46.3	33.5	13.3	0.8	0.2
Printing and binding	32,789	27.1	20.1	51.2	0.5	1.0	0.1
Other industries.	49,728	9.8	46.1	29.5	12.3	2.2	0.1
	1,326,289	8.1	23.9	23.0	26.8	17.3	0.9

* Computed from data in S. Harada, *Labor Conditions in Japan* (New York, 1928), translated from *Teikoku Tokei Nenkan* (1926), p. 410; and Japan, Imperial Cabinet, Bureau de la Statistique Générale, *Résumé Statistique de l'Empire du Japon* (Tokyo, 1927), p. 108.

practice. Since Sunday has no religious significance for the Japanese, the worker does not automatically have his Sundays as a day of rest. Rest days vary from two to four a month. The law provides for two rest days a month for women and young persons under sixteen years except where the factory runs day and night with two shifts of labor and then it requires four rest days a month. There are no legal restrictions on the rest days and working hours of adult males.

In cotton spinning factories where there is night work, the rest days are generally four a month. In raw silk filatures where there is no night work they are generally two a month. For the cotton spinning industry, the work week for the individual is 60 hours. For raw silk it is 66 hours some weeks, and 77 hours other weeks, or an average of 71½ hours a week.

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In other industries the work week ranges from 48 to 84 hours, but in very few is the 48 hour week the rule.[1]

Night Work for Women and Children

The employment of women and children on night work in the Japanese cotton spinning mills has been the subject of a good deal of international wrangling. The practice is finally to be abolished, in so far as it concerns the labor of women and persons under sixteen years of age between the hours of 10 P. M. and 5 A. M., after June 30, 1929, with provision for an extension of the working time to 11 P. M. Night work, except in continuous industries, is not generally practiced in industries other than cotton spinning and the spinning of other fibres. The scarcity of capital for industrial undertakings and the comparatively large amount of investment necessary to the importation and installation of heavy spinning machinery from abroad have led to the policy of running what machinery there is continuously, and of working the labor force in two shifts from 6 A. M. to 5 P. M. and from 6 P. M. to 5 A. M., in order to get the maximum out of the capital investment. Where the investment in machinery has not been large, there is generally no night work unless the operation requires it.

The Japanese government has held off from enforcing the abolition of midnight work for women and children. Although the principle was accepted and embodied in the Factory Act of 1923, the government has been reluctant to force the industries to accept the curtailment of working hours. Even now the law that is to be enforced in June, 1929, is not entirely in accordance with the international convention. The age limit of young persons engaged in industry is lower in Japan and the day work ends at 11 P. M., instead of 10 P. M., with fewer rest days in the week. The government and employer delegates to the Washington Hours Conference contended that it would be unfair to force the abolition of night work upon the spinning factories until they had the opportunity to offset the curtailment of working hours and production by an increase of

[1] Based on personal investigation of many mills.

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machinery. It has been for this reason, presumably, that the government has waited so long. But it seems doubtful if their reluctance has been well founded. It is altogether questionable if the curtailment of working hours suggested would reduce production to any such degree, or that it would be a hardship on the industry if a lower production resulted.

The abolition of night work between 11 P. M. and 5 A. M. reduces the working day for the machinery from 20 to 17 hours, or an amount equal to 15 per cent. But the spinning manufacturers are planning to take advantage of the provision of the Factory Act which permits them to reduce the rest days for operatives from four days and nights a month to two days and nights a month. Thus the work week for the machinery will be 110½ hours instead of 120 hours and the actual curtailment due to the abolition of midnight work will be less than 8 per cent.

Since 1919, the Japanese manufacturers have added and installed a total of nearly 2,400,000 spindles for the cotton industry, an increase equivalent to 62 per cent of the productive capacity of 1919, or nearly eight times the number needed to offset the reduction in output. And by 1924 enough new spindles had been added to the industry to offset the 20 per cent reduction that would result from a full and complete adoption of the Washington Night Work Convention, without reducing the number of rest days for the operatives.[1]

Moreover, since 1927, the industry has been under voluntary agreement to restrict production. In May of that year, following the panic of the early months, the Japan Cotton Spinners' Association agreed among themselves to reduce output by sealing 15 per cent of the machinery in order to protect the industry from overproduction. The next November the ratio of production curtailment was increased to 23 per cent, and in September, 1928, it was decided to continue the same ratio of restriction until June 30, 1929, the date set for the abolition of night work. Due to various exceptions, the restriction ratio

[1] Based on data in Mitsubishi Goshi Kaisha, Economic Research Department, Tokyo, *Monthly Circular, no. 61,* November, 1928; and Bank of Japan, *Economic Statistics of Japan 1925-1927.*

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works out at 18.5 per cent of the spindleage capacity. Thus without adding a single new spindle to the industry after May, 1927, the Japanese cotton spinners could unseal enough machinery to offset more than twice the actua' reduction of their producing capacity due to the abolition of midnight work. They have almost enough locked-up capacity to offset the 20 per cent reduction that would result from strict adherence to the international standard, closing the mills between the hours of 10 P. M. and 5 A. M., and continuing the four full rest days and nights a month.

Since May, 1927, the members of the Japan Cotton Spinners' Association have added another 10 per cent to their spindleage capacity and June, 1929, will find the cotton spinning industry with an additional 28.5 per cent productive capacity with which to meet a curtailment of 8 per cent in working hours. The productive capacity of the industry without benefit of midnight labor will be at least 54 per cent above the 1919 level.[1]

In addition, it is very probable that the curtailment of working hours and the abolition of midnight labor will result in an increase of efficiency sufficient to offset a great part of the 8 per cent reduction of hours. The Toyo Spinning Company, anticipating the inevitable necessity of conforming with international standards, began an experiment in one of their factories near Tokyo in 1925, which turned out most surprising results. They determined to abolish the midnight shift by limiting the operation of the plant to the hours between 5 A. M. and 11 P. M., using much the same system that will be adopted by the most of the mills after June, 1929. After one year's trial of the shorter working day, they found that the amount of sickness among the operatives was considerably reduced and that the pale, swollen "spinning room faces" had entirely disappeared. The amount of absenteeism was reduced. The labor turnover decreased. The number of spindles operated per spinner increased and the quality of the product improved. Five additional hours a week of leisure for the operative resulted in improved efficiency and better quality of product.[2]

[1] *Op. cit.*

[2] Personal account of officers of the factory visited in July, 1926; and official

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This Toyo experiment points to a whole new method of approach for Japanese manufacturers. It sows the seeds of doubt regarding the advantages of long working hours. It suggests that long working hours do not necessarily make for lower labor costs. It opens up the possibility that new roads to industrial economy lie through the labor factor in industry, and places emphasis upon the importance of efficiency.

Fatigue originating from long hours of labor is an important cost factor in industry. Continuous day and night industries in this country discovered that truth back in 1922, when some of the plants began switching from the old two-shift system of 12 hours' labor to three shifts of 8 hours each, and the Federated American Engineering Societies appointed a committee to discover what the effect of this change would be. The committee discovered, much to everyone's surprise, that in the plants that had made the change the increased efficiency of the workers offset in whole or in part the extra labor cost of the third shift. In the report of its findings the committee stated:

> The effect of the 8 hour as compared with the 12 hour shift operation on the quantity and quality of production has been satisfactory where good management and coöperation of labor have been secured. In practically every major continuous industry there are plants which have increased the quantity of production per man as much as 25 per cent. In a few exceptional cases the increase has been much higher. Evidence shows also an improvement in quality of production following the reduction in the length of shifts.
>
> The change from 2 to 3 shifts has in practically every case reduced absenteeism and labor turnover, and in a marked degree.
>
> There is a natural divergence of opinion as to the advantages of the 3 shift operation, but the weight of the evidence and the most positive statements are in its favor.[1]

statement published by the government Bureau of Social Affairs and translated in *Industrial and Labour Information*, vol. 22, no. 6, May 9, 1927, p. 227.

[1] Federated American Engineering Societies, Committee on Work Periods in Continuous Industry, *The Twelve-Hour Shift in Industry*, New York, 1927.

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This is American experience, but the Japanese themselves have had similar experience in the raw silk industry of Nagano Prefecture. The Factory Inspection Service of Nagano Prefecture recently published[1] the results of an investigation into the relation between hours of labor and efficiency in the raw silk industry which showed a remarkable increase in output with the decrease in hours of attendance. In a working day of 12 hours' labor, 13 hours' attendance, the average output of an operative in the years from 1921 to 1925 was 51 per cent greater than the average daily output of an operative with 16 hours' attendance from 1892 to 1907. Some of this increase is undoubtedly due to improvements in the reeling machinery, but the shift from the old two-reel to the four-reel basin on which the industry is still functioning was made before 1912, and a half of the gain in output has been made since then. Some improvements have likewise been made in the reeling qualities of cocoons, but what part these changes have played in increasing output, it is difficult to say.

The average daily output of an operative in the 13 hours' attendance of 1921–25 was 21 per cent more silk than the output of an operative in 15 hours' attendance in the period 1912–15; and 11 per cent greater than the output per operative for 14 hours' attendance between 1916–20. A large part of these last two increases must be due to the greater efficiency of the operatives working shorter hours. The average hourly output per operative has been increased roughly 25 per cent with each hour's reduction in the day, from 15 to 14 hours and from 14 to 13 hours, which suggests the possibility that further curtailment of the working hours of the raw silk industry would not bring disaster on the industry, especially as that industry has been extremely seasonal in the past. (See Table IV.)

If, as it would seem, an operative actually produces more in 12 hours of labor than he does in 13 or 14 or 15 hours, it is worth while trying still further reductions. The philosophy that exempted the raw silk and the cotton spinning industries

[1] *Industrial and Labour Information,* vol. 20, no. 6, November 8, 1926, p. 255.

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TABLE IV

RESULTS OF AN INVESTIGATION INTO THE RELATION BETWEEN HOURS OF LABOR AND EFFICIENCY IN THE RAW SILK INDUSTRY *

By the Factory Inspection Service of Nagano Prefecture

Years	Daily Hours of Attendance	Daily Hours of Rest	Average Output per Worker per Day, in Momme	Average Output per Worker per Hour of Attendance, in Momme	Index	
					Output per Day	Output per Hour
1892–1907	16	..	72	4.47	100	100
1912–1915	15	..	90	6.00	125	134
1916–1920	14	1	98	7.51	136	168
1921–1925	13	1	109	8.94	151	200

* Compiled from data published in *Industrial and Labour Information,* vol. 20, no. 6, Nov. 8, 1926, p. 255. 120 momme = 1 lb.

from the regulations on hours under the Factory Act may have been mistaken.[1]

The Nagano investigation had nothing to say about the quality of the silk produced under the changes in the working hours, but it is a well-known fact that the Nagano silk has improved in quality, tremendously, in the past quarter century. If the worker produces both more and better goods in fewer hours of labor, there must be something to the notion of a definite relationship between the hours of labor and the efficiency of the worker. There is enough at least to make it worth the while of the Japanese industrialist to investigate further.

Efficiency of Japanese Labor

A most important weakness in the Japanese industrial structure is the inefficiency of labor—the large numbers required to perform the work of one. Japanese factories are crowded with

[1] The raw silk industry had been still further exempted from the regulation on working hours, being permitted an additional hour of labor each day, making 12 hours of labor during the summer, because of its character as a seasonal industry dependent upon fresh cocoons. The industry has shifted to the use of dry cocoons, and since January, 1927, it has been removed from the class of seasonal industries and this privilege has been rescinded by the government Bureau of Social Affairs.—*Ibid.*

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workers. Even to a casual observer it is apparent. The mill owners put the emphasis on the production of the machinery. The efficiency of the worker, because he is so cheap, is disregarded. At so low a wage what does it matter if two or four hands are employed to the machine? The machine is costly, capital is scarce. What is lacking in the machinery is made up in labor. The machinery is operated at top speed, it is used when no longer efficient, it is run night and day by adding more labor. A reserve force of labor, from 10 to 30 per cent of the working force,[1] is kept on the payrolls of cotton mills to keep the machinery going full time at full speed. Industry is organized to get the most out of the individual machine. There is no incentive to reorganize to save a daily wage of 60 cents. If, however, the labor element becomes costly by reason of its large numbers, industry may seek a realignment of its forces. More than any other item in the total labor costs in Japanese mills, this matter of the large labor force nullifies the advantages of the cheap individual wage. It is an economic snowball that cumulates as it rolls. The larger labor force requires a larger supervisory force and again in turn a larger clerical staff. Its needs are manifold and its wages multiple.

In order to arrive at some measure of basic labor requirements in Japanese cotton mills, for example, comparison is made with some of the mills in the southern United States, whose product is more nearly comparable to the Japanese. The labor situation in America is the reverse of that in Japan. Here labor is comparatively dear and the system is to utilize the machinery for the maximum production from the worker. The ratio of the machinery to the worker is important. For this reason, and not because of any fancied notion that the American cotton industry is the ideal of efficiency, the labor requirements of the southern mills may be taken as basic.

There are differences in the industries of the two countries that must first be noted. The raw material is essentially different. While the Japanese do use some American raw cotton,

[1] U. S. Tariff Commission, *The Japanese Cotton Industry and Trade* (1921).

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the bulk of their cotton is from India and is of shorter staple, more likely to breakage and waste, requiring more labor to put it through the machinery. The yarn spun has more of the coarser counts that require more labor. Much of the spinning machinery is old, out of date, not constructed or arranged for the maximum efficiency of one employee. It is run somewhat faster than American practice by adding more labor. But except for the raw material, and that too in part, all of these factors are in some way related to the cheap labor policy of the management. They are there because the labor is cheap.

A competent spinner in Japan, working on 20 count yarn, operates from 300 to 400 spindles. On the same count yarn an American spinner will tend from 1,020 to 2,688 spindles, or 2½ to 6¾ times as many. On 30 count yarn the Japanese spinner will generally have no more than 450 spindles, though a very skillful worker will have 600 to tend. On the same yarn, the records of six American factories showed the average number of spindles per spinner at respectively 750, 1,056, 1,120, 1,344, 2,500 and 2,688, anywhere from two to six times the Japanese average. The wages of American spinners average from 4½ to 5⅓ times the wages of the Japanese spinners.[1] The question is, does the difference in the wage fully offset the difference in output, especially in view of the fact that the Japanese are able to operate the machinery at a greater speed than the Americans?

In order to make a fair comparison, it is necessary to measure the performance of the entire force of operatives. There are differences in the production methods that make comparisons for specific operations not entirely safe. The doubling up of labor occurs all along the line, in every operation, in Japanese mills. The essential basis of comparison is the output per operative per given unit of time, for the same grade of product.

[1] The hourly wage for spinners on 20 and 30 count yarn in southern mills is from 17 to 38 cents; for Japanese spinners on the same count yarns it is about 5½ cents. Data obtained from personal investigation of Japanese and American mills. Japanese figures corroborated in Japan Cotton Spinners' Association, *Cotton Mills and Workers in Modern Japan* (1919).

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TABLE

COMPARISON OF WAGE COSTS AND THE EFFICIENCY
JAPAN AND SOUTHERN

United States

Average count of yarn	Operatives per 1,000 spindles	Output per spindle per 10 hr. day lbs.	Output per operative per 10 hr. day lbs.	Average wage per 10 hr. day	Wage cost per lb. yarn
14	9.3	.65	70	$2.44	$ .035
14.5	6.8	.51	76	2.44	.032
17	8	.42	52	2.44	.047
17	9	.62	69	2.44	.035
17.5	7	.43	60	2.44	.041
18	7	.40	56	2.44	.044
19	8	.45	56	2.44	.044
23.7	7	.31	46	2.44	.053
34.3	3	.17	64	2.44	.038

* Based on data obtained from the report of the Japan Cotton Spinners' Association, March, 1925; and correspondence with eighteen spinning mills, two trade associations, a national labor union, and state and national government bureaus. The average wage used for American mills is based on data in U. S. Bureau of Labor Statistics, *Bulletin 446, Wages and Hours of Labor in Cotton Goods*

Data for this comparison have been secured from cotton spinning mills in North Carolina, South Carolina and Georgia, where the product is more nearly comparable to the Japanese product; and from the printed report of the Japan Cotton Spinners' Association for March, 1925. The details are given in Table V. The Japanese figures are for individual companies,

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V

OF LABOR IN COTTON SPINNING MILLS *

UNITED STATES

Japan

Average count of yarn	Operatives per 1,000 spindles	Output per spindle per 10 hr. day lbs.	Output per operative per 10 hr. day lbs.	Average wage per 10 hr. day	Wage cost per lb. yarn
13.2	17	.71	40.8	$ .70	$ .017
14.8	19	.68	36.5	.62	.017
15.9	24	.45	18.8	.57	.030
17	22	.53	24.2	.65	.027
17.2	14	.47	34.0	.63	.019
17.2	10	.48	22.4	.58	.026
17.3	29	.38	13.0	.60	.046
17.6	24	.54	22.2	.59	.027
18.3	22	.55	24.6	.79	.032
19.0	21	.53	25.1	.68	.027
19.3	9	.20	22.1	.62	.028
19.3	19	.48	24.6	.64	.026
19.7	21	.45	21.4	.69	.032
19.7	20	.37	18.8	.62	.033
23.1	16	.31	19.1	.52	.027
23.2	15	.28	18.3	.79	.043
23.7	19	.42	22.1	.62	.028
23.7	15	.28	18.4	.55	.030
32.1	16	.24	18.3	.53	.029
32.2	19	.32	16.8	.73	.043
33.7	17	.24	13.5	.71	.053
35.6	17	.21	11.5	.57	.049
36.0	17	.22	12.8	.56	.044

Manufacturing 1910-1926, and is the average of the earnings of the principal occupations in spinning mills in North Carolina, South Carolina and Georgia for 1926. The data presented are for individual companies in Japan and individual mills in North Carolina, South Carolina and Georgia.

the American for individual mills. The basis of comparison is the average count spun. It is not an ideal basis, for the average count of yarn is, like all other averages, an unreliable index of the character of the product. Data are not available for more exact comparison and it is believed that this basis will not lead us astray in pointing out the essential differences in efficiency.

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Some few Japanese spinning mills are organized on a labor basis nearly as efficient as American standards, but the vast majority of the Japanese mills waste labor. They make use of anywhere from 2½ to 5⅔ times as many workers per 1,000 spindles. The average is well over three times the American requirement. While some of this labor is needed for the greater speed of the Japanese machinery, much of it is inefficient. The output of yarn per operative in a southern mill for a 10 hour day is from 2¼ to 4⅓ times the output of yarn per Japanese mill operative for the same number of hours. On the average nearly three times as much labor is used in Japanese spinning mills as is actually required for the same output in America. It wipes out much of the difference in wages.

The American worker receives a daily wage that is about four times the average Japanese wage for the same length of day. With three times the output and four times the wage, American wage costs per pound of yarn average only 39 per cent greater than the Japanese.[1] (See Figure I.) There are American mills that produce yarn at a lower wage cost per pound than Japanese mills making the same grade of product. The range is from 200 to 76 per cent of the Japanese wage cost. It is no safe margin for the Japanese to bank on for the future, especially if other labor costs are added. The addition of even 33 per cent, the low estimate of extra labor costs, would reduce the margin of advantage to a very unsafe amount.

The data here presented are admittedly imperfect and wide of range, but they are sufficient to point out certain definite facts about the Japanese cotton spinning industry: the mills are overmanned; the labor is cheap but inefficient to a degree that greatly offsets its cheapness; extra labor costs reduce the margin of advantage still further; and there are some American mills, in spite of an average wage four times as high, that are producing at a lower wage cost per pound of output. These are sufficiently important facts to cause the Japanese industry some difficulties in the future. (See Table VI.)

[1] This figure is corroborated in Mr. Chalmers' report to the U. S. Tariff Commission, *The Japanese Cotton Industry and Trade*, 1921, p. 114. According to his estimate, American spinners' wage per pound of 20-count yarn produced was 25 per cent greater than the Japanese spinners' wage on the same product.

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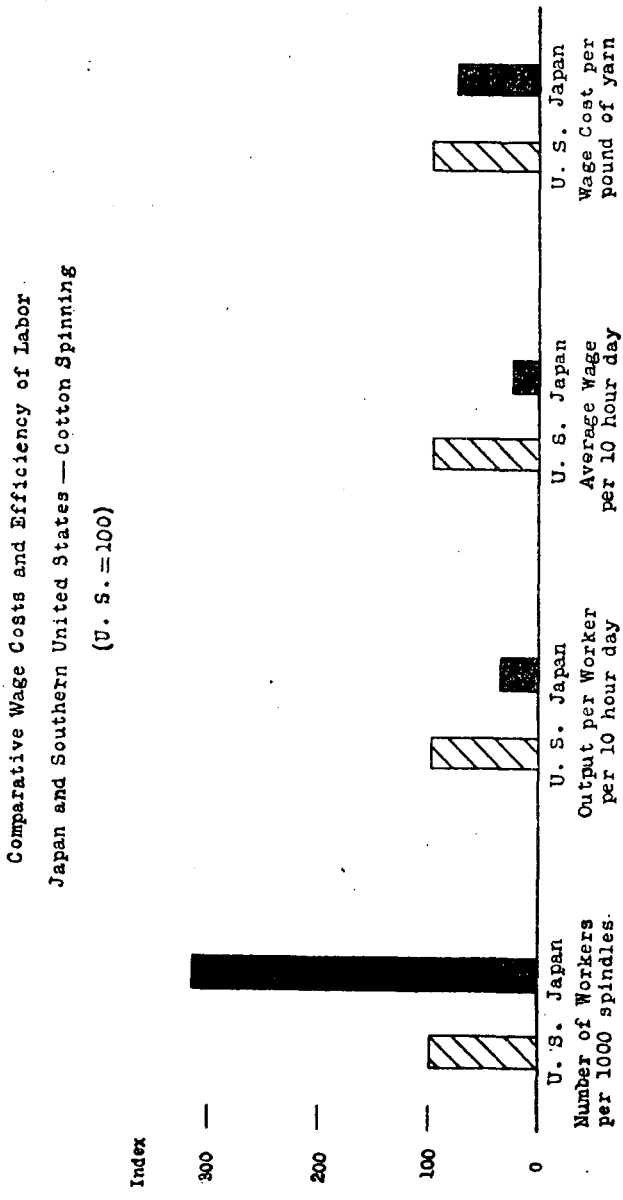

Figure I

The differences in the efficiency of labor in the weaving mills of the two countries are more startling. For the purposes of this comparison the spinning of yarn has been divorced from

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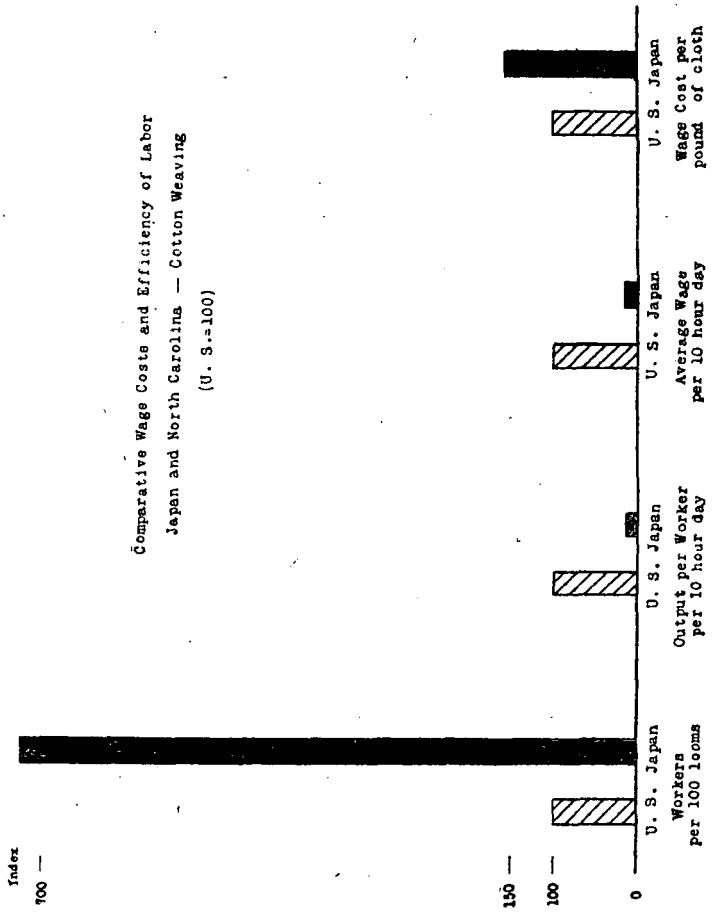

Figure II

the weaving of cloth and the spinning mills and weaving mills have been considered separately.

The number of looms a weaver can operate varies tremendously with the width of the loom, the kind of loom, the nature of the cloth and the system of production. On a plain weave cloth a Japanese weaver may attend 4 looms of ordinary width, though it is quite usual for the number to be 2. American weavers on similar non-automatic looms making plain weaves will operate 8 to 12 looms. On automatic looms, and they are generally used in the southern states, a weaver will tend anywhere from 16 broad looms to 115 nar-

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TABLE VI

AN INDEX OF WAGE COSTS AND EFFICIENCY OF LABOR IN COTTON SPINNING MILLS IN JAPAN *

(United States = 100)

	Average Count of Yarn Spun					
	13 to 16	17 to 17.6	18 to 19.7	23 to 23.7	32 to 36	Average
Ratio of workers to machinery (per 1,000 spindles)	250	250	272	229	566	313
Output per spindle per 10 hour day	105	98	105	107	147	112
Output per worker per 10 hour day	44	39	41	42	23	38
Average wage per 10 hour day	26	25	27	25	25	26
Wage cost per pound of yarn	64	71	68	60	110	76

* Based on data in Table V.

row, depending on the system of production. He may care for 30 automatic looms of ordinary width, fill his own batteries and remove the cloth himself, or on the multiple system of production, he may tend from 56 to 70 aided by battery fillers and cloth men. The automatic loom makes a vast difference in the number of machines operated by one worker.

The Japanese looms are of the old English type, not greatly superior to the hand looms that still are able to function in the farm houses all over Japan in competition with the power loom. The automatic loom has been imported only here and there and in small quantities. Cheap labor has retarded its installation.[1]

An American mill can operate with from 6 to 13 operatives per 100 looms. A Japanese mill requires 50, 60, 70, 80 and 90 operatives per 100 looms. The range of difference is from six to nine times the American requirement, with the average at seven times as many workers crowded into a Japanese weaving mill as in an American mill of the same number of looms. That condition in itself leads to inefficiency.

[1] According to investigations made by the Japan Cotton Spinners' Association, there are about 7,000 automatic looms out of the 70,000 looms used by its members.

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TABLE

COMPARISON OF WAGE COSTS AND THE EFFICIENCY

JAPAN AND

United States

Average count yarn	Kind of cloth	No. workers per 100 looms	Output per loom per 10 hour day (pounds)	Output per worker per 10 hour day (pounds)	Average wage per 10 hour day	Wage cost per pound cloth
14	Sheeting, drills	13	19.3	148	$3.42	$ .023
17	Sheeting, gauze	12	20.6	168	3.42	.022
20 & 21	Chambrays.....	12	12.5	109	3.42	.031
21 & 22	Wide sheeting.	6	11.9	185	3.42	.018
27 & 28	Indigo chambray, ginghams	11	8.2	73	3.42	.047
30 & 40	Broadcloth, fancy underwear	9	7.8	88	3.42	.039
30 & 40 (32 avg.)	Prints, cords	9.5	10.1	97	3.42	.035
36.75	Broadcloth.....	12	10.3	88	3.42	.039

* Based on data obtained from the report of the Japan Cotton Spinners' Association for 1925, in Japanese; and correspondence with nine weaving mills in North Carolina. The average wage used for American mills is based on data in U. S. Bureau of Labor Statistics, *Bulletin 446, Wages and Hours of Labor*

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VII

OF LABOR IN COTTON WEAVING MILLS

NORTH CAROLINA *

Japan

Average count yarn	Kind of cloth	No. workers per 100 looms	Output per loom per 10 hour day (pounds)	Output per worker per 10 hour day (pounds)	Average wage per 10 hour day	Wage cost per pound cloth
14	Duck, shirting	139	10	14.4	$ .77	$ .053
14.3	Gray flannel	81	16.8	20.9	.65	.031
14.4	Duck, drill	55	19.1	35.0	.64	.018
14.8	Gray flannel	56	9.8	17.0	.58	.034
16	Coarse white, fine cloth, duck, shirting, drill	68	17.4	25.8	.52	.020
16.5	Gray flannel	80	7.5	18.6	.51	.027
16.8	Coarse white, duck	54	13.6	25.2	.95	.038
18.2	Shirting, duck	137	19.0	13.9	.51	.037
18.7	Imitation nankeens, wide cloth, T-cloth, gray flannel	34	5.5	16.3	.52	.032
19.2	Shirting	58	5.0	8.6	.52	.060
20	Imitation nankeens, gray flannel	26	7.1	27.5	.48	.017
20	Drill, duck, rubberized cloth	204	11.4	5.6	.61	.109
21.3	Shirting, fine drill, fine cloth	74	9.2	12.5	.70	.056
21.5	Shirting	66	5.4	8.2	.74	.091
21.9	Cotton drill, T-cloth	77	11.3	14.7	.57	.039
22.4	T-cloth, shirting, drill, flannel, fine cloth, coarse cloth, cotton satin	74	11.9	16.0	.64	.040
22.6	T-cloth, coarse white, drill, fine twill, cotton satin, fine cloth.	81	14.0	17.9	.71	.040
27.3	Coarse cloth, shirting, drill, cotton satin	83	11.2	13.6	.74	.054
28.7	Coarse cloth, shirting, fine drill, cotton satin, cotton crepe, fine cloth, lawn, gassed shirting	94	9.5	19.9	.60	.060
28.9	Shirting, drill, fine cloth, calico, miscellaneous	87	8.4	9.6	.70	.073
31.7	Shirting, fine cloth	65	10.4	16.0	.60	.037
33.9	Shirting, fine cloth, cotton satin	68	8.4	12.4	.72	.058
40.0	Shirting, T-cloth, fine drill	69	6.2	9.0	.64	.071
40.0	Shirting, drill, lawn	51	8.1	16.1	.51	.032

in Cotton-Goods Manufacturing 1910-1926, and is the average of the principal occupations in weaving mills in North Carolina for 1926. The data are for individual companies in Japan and individual mills in North Carolina.

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TABLE VIII

AN INDEX OF WAGE COSTS AND EFFICIENCY OF LABOR IN COTTON WEAVING MILLS IN JAPAN*

(North Carolina = 100)

	Average Count Yarn Consumed					
	14 to 14.8	16 to 18.7	19 to 22.6	27 to 28.7	28.9 to 40	Average
Ratio of workers to machinery (per 100 looms)	639	625	911	800	666	728
Output per loom per 10 hour day	72	61	77	126	88	85
Output per worker per 10 hour day	15	12	10	23	14	15
Average wage per 10 hour day	19	18	18	20	18	19
Wage cost per pound of cloth	148	141	233	121	142	157

* Based on Table VII.

The output per American worker in pounds of cloth per 10 hour day is from four to ten times the Japanese worker's output. Seven and a half times the Japanese output is the average. Seven and a half times the output and 5⅓ times the wage leaves the American manufacturer with a wage cost per pound of cloth that is less than the Japanese. (See Figure II.) In spite of the incredibly cheap Japanese labor, American manufacturers produce at a wage cost per pound of cloth that is from 18 to 57 per cent less than the Japanese.[1] (See Tables VII and VIII.) It is almost unbelievable until the differences in individual output on similar grades of cloth are examined. The Japanese worker is producing 8 and 10 pounds of cloth to the American 88 and 97; 11 and 12 to 185; 19 to 168; 35 to 148. Even a wage of 60 cents a day cannot make up that difference. The fault is not the worker's. The machinery, the methods of production and the cheap wage system are the chief causes.

Since the wage costs on American yarns average 39 per cent more per pound of yarn than the Japanese, and the wage costs

[1] Mr. Chalmers, *op. cit.*, estimated the weaver's wage per pound of cloth on automatic looms in America to average 28 per cent below the Japanese weaver's wage on the same product.

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TABLE IX

LABOR COSTS IN JAPANESE TEXTILE MILLS

	Estimated per cent of payroll
Money Wage	
1. Workers' regular earnings	100
2. Semi-annual bonus	5 to 30
Maintenance Wage	20 to 50
3. Lodging in company dormitories	
4. Board at less than cost in company dining halls	
5. Staple foods etc. at below cost to non-boarders	
6. Free medical care in dormitory and factory	
7. Educational facilities for compulsory educational requirements	
8. Other educational facilities	
9. Recreational facilities for dormitory workers	
10. Other welfare	
11. Construction and maintenance of mill village, company houses, company stores, company hospitals, etc.	
Indemnities	—— ——
12. Compensation for injury, sickness, death	
13. Allowance for motherhood	
14. Discharge allowance	
Recruitment	8 to 12
15. Cost of recruitment of raw labor	
16. Cost of labor turnover	
Total Direct Labor Costs	133 to 192
Inefficiency of Cheap Labor	
17. Extra force of spare hands (10 to 30 per cent of total)	Inefficiency offsets cheap wage in wage costs per pound of product
18. Multiple cost of large labor force	
Spinning mills—2¼ to 4⅓ times the basic need measured by output per operative	
Weaving mills—4 to 10 times the basic need measured by output per operative	
19. Multiple cost of larger supervisory staff and large clerical force	—— ——
20. Loss due to poor quality of product from unskilled hands	—— ——

Estimates from personal investigation; reports of the Japan Cotton Spinners' Association; U. S. Tariff Commission, *The Japanese Cotton Industry and Trade*; and a publication of the Kanegafuchi Spinning Company Ltd., 1919, as cited in text.

on American cloth (not including the labor costs in the yarn) average 33 per cent less per pound of cloth, the one nearly balances the other. This explains why American textile manufacturers can sell in the same international markets with the Japa-

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nese. The superior efficiency of the American worker offsets to a very considerable extent any advantage the Japanese manufacturer may have in lower wages. And when the extra labor costs that grow out of the cheap labor system are added to the wage, the Japanese manufacturer is found to benefit very little, if any, by his so-called cheap labor.

It is the general presumption that Japanese manufacturers have a great advantage over western industrialists in their supply of cheap labor with long working hours. That Japan's labor is her major industrial asset is quite true, but its cheapness is altogether another matter. (See Table IX.) The resources of labor are abundant, but labor for industrial purposes is scarce and unskilled, and above all it is not cheap because it is inefficient. The extra payments that subsidize the cheap wage, the multiple cost of inefficient labor, the effect of poor and uneven quality from unskilled hands, are as real costs as the cheap wage. The wide margin of difference in individual output between American and Japanese labor suggests a fertile field of research for Japanese industrialists.

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NEW YORK CITY

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REVIEWS

The Pragmatic Revolt in Politics. By W. Y. ELLIOTT. New York, The Macmillan Company, 1928.—xvii, 540 pp. $3.75.

This book is indubitably the book of the year in political theory. This judgment is not qualified by the fact that many of the chapters are reprinted articles and reviews and that hence there is a certain measure of repetition. It is one of the most important expositions of what Professor Elliott himself calls the "new Liberalism". We may, however, suspect that it will be especially welcome in those constitutionally minded quarters which desire a new defense of the old Liberalism, with its belief in orthodox parliamentarianism or the permanence of the principles of the American Constitution, its stress on constitutional action and its faith in the efficacy of reasonableness. If Professor Laski's *Grammar of Politics* is in the tradition of John Stuart Mill, Professor Elliott's book is in the tradition of T. H. Green. It is written with an exhaustive knowledge of the relevant literature and with an easy learning which ranges from the poetry of Rochester to the theology of Ritschl.

In a brief review it is unfortunately impossible to dwell upon the degree of one's agreement with Professor Elliott's thesis, especially as set forth in his theory of "coörganic purpose". Nor can space be spared to comment upon the importance of the ambiguity implicit in such phrases as "in philosophy, whether or not axioms are postulates in the beginning as a matter of genetic psychology, in the course of human development their universal logical validity has been pretty thoroughly demonstrated"; or "sovereignty by this interpretation is a reality (which is idealistic only in recognizing the value of ideals) just as other fundamental concepts are realities, valuable because it describes within practicable limits a state of facts"; or "a will . . . metaphysical . . . in the sense that all realities are metaphysical"; or the contrast made between "interest" and "purpose" (p. 310). So challenging a book demands that criticism should be concentrated upon the main issues.

(a) In his *Man and the State* Professor Hocking states that "the logical essence of political realism on its positive side is an attempt to make the facts serve as standards, on the essentially foolish sup-

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position that anyone who wants to know what to do can be answered by pointing to the 'facts', the very things he wants to change". With this accusation Professor Elliott seems to be in entire agreement, and the burden of his complaint against Dr. Dewey is that pragmatism fails to provide any norm for political action. Professor Elliott insists on the importance of the problem of political values and champions the possibility of "rational conventions along the lines of government by discussion and voting". His complaint is that "the way we *do* act habitually is taken as the criterion for the way we should act . . . anti-intellectualism can, with this purely 'scientific' method, offer us no norm of value beyond survival or fact. It has no normative program."

The prejudice of the reviewer is entirely against the treatment of politics from the standpoint of value and purpose, if this treatment is to be considered not as supplementary but as the only satisfactory treatment. It appears to be Professor Elliott's belief that he champions reason against the chaotic forces of instinct and passion and that idealistic political philosophy represents the calm "long" view against pragmatic short-sightedness. On the contrary, it may be urged that the rational treatment is that which, with Hegel, recognizes that other factors enter into human life besides the conscious intellect so much belauded by the Whigs and Liberals. We may profoundly believe in cosmos and the "final triumph of reason" (p. 311) and yet decline to be Liberal intellectualists. Realism is not opportunism, although opportunism may be a moleish kind of realism. Further, it may be urged that it is precisely political idealism of Bosanquet's variety, rather than political science, which presents us with the "short-sighted view". We know that all well established conventions are adhered to with passionate loyalty. We expect that this loyalty will take the form, not of frankly defending what is as good because it is, but, by a rationalization, of declaring that the good is what is because we have molded our notion of the good to fit the actuality to which we are emotionally attached. We shall, therefore, suspect a theory, as a reasonable and impartial guide in difficulty, which is based upon values hypostatized as ideals. We surmise that, although in the mind of God there may be but one consistent and coherent truth, men to the degree of the finitude of their knowledge are able to build as many different coherent theories, logically deduced from premises based on individual intuition, as there are men with different experiences and personalities. And politics deals with men of finite knowledge. Now when we turn to Professor Elliott's

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pages, this is precisely what we find. The dominant and religion-evoking institution of the last century has been the national state and one discovers Professor Elliott dutifully pointing out, on the basis (we are told) of a long-sighted and logical philosophy, that the national state is the good, the beautiful and the true.

Between "values" and "ideals" lie "purposes", thanks to the fulfilment of which transcendental ideals are to be realized as enjoyed values. The political philosophies called idealistic insist much upon the consideration that they alone allow for the "purposive nature" of man. An ambiguity, however, lies in the word "purpose". It may mean not the pursuit of transcendental ideals but determination —persistence—in an existing course and hence the preservation of immanent order and plan. To say that our philosophy is purposive does not entitle us to requisition for our sole use the good word "order". Plan may be conceived either teleologically in time or coördinately, and all final cause apart, in space-time. It has yet to be shown that the latter is not as useful a concept in politics and a truer and more fundamental one in metaphysics than the transposed Eleaticism of the teleologists.

(b) Further, there is this matter of "facts" about which M. Duguit, who occasionally compromises on the question of purpose, has got into trouble. Facts, it is said, cannot supply us with an ethical norm. It is the facts which we want to change: "*force ne fait pas droit.*" The objection to the new Liberalism here is that it seems to confuse the "facts" which are the products of governments and conventions with the facts of human nature and the conditions of social organization from which result the forms of governments and conventions. It goes out in a fashion worthy of Roundhead and Girondin, with pennants flying, to do battle against the former, whereas the facts which are thrown up against it are of the latter, fundamental kind. The significance of these more adamant social facts, which as a system constitute, in effect, a new law of nature (but a law of nature to be sharply distinguished from the transcendental and moral law of nature for which M. Charmont has sympathies), has been expounded by M. Duguit. There seems, despite Professor Elliott (p. 257), to be no inherent contradiction between Duguit's emphasis upon law and his theory of government as the depository of force. The law here is a constitutional law not in the juristic but in the psychological sense—not determined by man but the formula of the way man is determined. According to it the play of social forces is determined, and the forces are not the less such because they must obey the

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immanent laws of their being which are, in the broader sense, psychological and, in the narrower, political. These laws governing what is possible (without evoking the reaction of active discontent) describe, of course, a far wider circle than the "just law" (according to the ideals of a given society) which they include. Isolated facts, however permanent, are indeed mere material of history and constitute no norm. But the verifiable generalizations based upon those facts condition all norms, in the same way that the law of gravitation conditions the norm of agreeable perambulation. Any norm in defiance of it is likely to have no mundane significance.

(c) The idealistic school—which it must be insisted is at least as much concerned with the problems of here and now as those realists who are endeavoring to discover the permanent principles of social structure—is gravely concerned about the post-war challenge to that rule by reason which finds for it an incarnation in assemblages of congressmen and members of parliament. "The organic social morality which relies upon fear and force to achieve its ends is the necessary apology of Fascism. Pragmatism becomes an economic interpretation of social solidarity that rules out of consideration all ends for the state that interfere with the efficient functioning of the State as a productive organism. That is the philosophy of Fascism." In commenting upon Professor Elliott's singularly thorough survey of Fascismo, it is necessary first to remember that there is no state in the world which does not exercise force against the criminal section of society; the peculiarity of Fascism is its unusual enlargement of what it regards as criminal. Secondly, although Professor Elliott places Professor Harold Laski and Signor Benito Mussolini on the same political bench as pragmatists, it is at least arguable that the most remarkable thing about Laski (however much he may be a disciple of the Romanticist, William James) is his increasing emphasis upon the Liberal doctrine of individual rights, rather than upon the realistic scientism of Dewey, and that the most remarkable thing about Mussolini, beneath whose dictatorial frown the lineaments can always be detected of the editor of the *Avanti*, is his Platonism—moral regulation, inquisition, myths, socialism organized in a functional hierarchy, and all. That so astute a disciple of Machiavelli should decline to offer to his enemies a paper program or a plan of his campaign before the event is surprising. But, because he declares that he respects "men, not talk", it would be as rash to conclude that he is an opportunist without a theory as to conclude that Rousseau lacked a theory because he exclaimed "*Si j'étais prince ou*

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législateur, je ne perdrais pas mon temps à dire ce qu'il faut faire; je le ferais, ou je me tairais." Nothing could be more Platonic than the declaration that a state is like a violin to be tuned to harmony by the hand of a master; that "Fascismo is monolithic" recalls the very words of Aristotle's charge against Platonism. That most of us heartily dislike Platonism in practice is no reason for calling it a pathological condition of government and, because Platonism and Hegelianism do not square with the Liberalism which derives from Kant, we are not entitled to claim that they are devoid of political idealism. We cannot tie up idealism with "constitutional democracy" (p. 221).

On the contrary, Fascismo, starting by declining to state any theory save the obligation to succeed, has formulated an ideal scheme for Italy which it applies with a rigidity which Bolshevism, which started with the ideal of Marxian Communism, appears to have failed to maintain in Russia. The crux of the matter with Mussolini is not his pragmatic appeal to direct action (which Liberalism tolerated in its own way under the respectable name of *laissez-faire*) but the clanging challenge of the Fascist ideal to Liberal individualism. The problem is whether a theory so far in defiance of what political science has hitherto (by naturalistic and empirical methods) been able to discover of the laws of social reaction will be able to survive—whether, in brief, it is realistic and rational enough.

(d) The reviewer entertains a violent prejudice against nationalism (by which is not meant nationality) as a nineteenth-century intoxicant which, having now set up a chronic habit, is one of the most dangerous social poisons of our age. His chief ground for doubting the permanency of Fascism is his belief (perhaps unscientific—since the test of a scientific principle is that it is one which partisans of any value-judgment can use indifferently) that undiluted national egotism is as certain to lead to disaster as any other absolute egotism. In this matter, however, Professor Elliott, a champion of orthodox Roseberian Liberalism, would appear, although with many a reservation and aspiration for a better life somewhere some when, to be on the side of Mussolini. It is perhaps natural in the United States, which is slowly moving away from the Lockeian philosophy of 1776 to a theory corresponding with the historical fact of increasing unification, that nationalism should be regarded, in the future tense, as an "inexorable movement". In Europe, where the southern countries have just become inspired by the full afflatus of national feeling and the northern countries are slowly venturing to explore

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the possibilities of confederations, cartels, international action and the like, the time is ripe, if not to view nationalism in the past tense, at least to pass some judgment upon it and to feel greater sympathy for the individualism of the American Founding Fathers. Professor Elliott does not disclaim international action (any more than does that doughty protagonist of States, Professor Burgess), rather he welcomes it. But he tells us, in words reminiscent of what was so frequently heard—and, alas! so facilely spoken—in 1919, that nationalism and internationalism are complementary ideas. Of the good spirit of nationality, how true! No thoughtful person would wish to substitute a watery cosmopolitanism for the community spirit of the like-minded group. But nationalism, as currently interpreted, and internationalism are, as concepts, deadly enemies. And the great issue of our time is whether we believe that sovereignty should ultimately reside in an international body representing that high good which is "the organized force of civilization" or whether the national good is the *summum bonum* and the national state the final sovereign. At least the reaction against the practical applications of the philosophy of the Cairds, Bradley, Bosanquet, is too great for it to be safe to declare that, the Church having yielded place, "this active community, that has taken historical form in national states, though neither a fixed quantity nor forever enduring, is relatively more permanent than other communities of interest and purpose within it, and more intense than those without it, under the present conditions of occidental society," since "the rule of law is the *a priori* condition of any moral freedom." The precise issue of our decade is whether we are to accept this national state as, for all practical purposes, more permanent than other communities, despite its patent inability, due to its very form, to maintain the rule of law throughout the area of western civilization without lapses into the bloody anarchy of war, or whether we should look for a "constitutional morality" based on an order which combines respect for local rights with resort to international action. The question is whether it is the proponents of the first or of the second theory who are in the true sense disruptive of the constitutional morality which is forming, and it is a radical question which does not admit of anything being taken for granted.

It is a pleasure to turn from these objections to a book which is weighty enough to demand an answer from whomsoever still ventures to differ, even to differ *toto coelo*, from its thesis—objections which perhaps rest upon an irresoluble diversity of aesthetic judgment on

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values—and to stress the significance of Professor Elliott's doctrine of sovereignty as a function of constitutional morality and his doctrine of "coörganic purpose". Assuredly the man who turns to "direct action" without exploring the utmost possibilities of moral suasion may have cause to remember the warning, "Had Zimri peace, who slew his master?"—even although it be that the Lord is occasionally on the side of the Jehus and the Washingtons.

Again, it gladdens the heart to notice Professor Elliott's distinction between the scientific and the poetical aspects of politics or, in Crocean terminology, the economic (including sociological) and the ethical aspects. The justification of politics as a science is that "the economic element of efficient technique may be separated, for descriptive simplicity of analysis, from the morally purposive element." Upon the "given" and limiting foundations of social structure, built in accordance with political law, the most various good societies, planned in accordance with what "ought" to be, can be erected "coörganically" by the moral purposiveness of man. We shall never be able to dispense with a philosophy of political idealism, even were we so foolish as to imagine with Comte (who died an hierophant) that we wished to do so—but would that all theorists of the creative power of ideas had Professor Elliott's respect for the appropriate field of political realism.

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Administrative Powers over Persons and Property. By ERNST FREUND. The University of Chicago Press, 1928.—xxi, 620 pp. $5.00.

Since the publication of Professor Freund's masterly treatise, *Standards of American Legislation*, twelve years ago, students of government have been eagerly awaiting the appearance of the sequel. In that volume the author gave a strong impetus to the growing interest in and respect for the science of legislation. Having made clear what is meant by principle in legislation, he proceeded to examine the results of judicial review of legislation with particular reference to the application of the "rule of reason" and showed how far short the courts had fallen of establishing satisfactory standards. Professor Freund did not put a high estimate on the value of the courts as constructive factors in the development of principle, and the candid observer of subsequent judicial proceedings in the exercise of the rule of reason will not hesitate to confess that his valu-

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ation has been abundantly justified. Professor Freund expected better results from the legislative and executive branches of government, especially the latter. Among the suggestions he then advanced for the further development of principle in legislation was the delegation of additional powers over persons and property to administrative agencies. The present volume is much more than an examination of the possibilities of this suggestion. But this will probably be its most interesting aspect to students of government.

Administrative Powers over Persons and Property is addressed primarily to lawyers. It grew out of the activities of the very competent Legal Research Committee, which was organized in 1920 and subsidized by the Commonwealth Fund. That committee decided to devote a portion of its funds to studies in administrative law and appointed a special Committee on Administrative Law and Practice of which Professor Freund became chairman. For the purpose of gaining a comprehensive view of the major problems of administrative law, this committee decided to make a comparative survey of administrative powers in regulative legislation, which would reveal the extent to which statutes operate through such powers, and the relative use of licenses and orders and of discretionary and non-discretionary action. The survey was undertaken by the chairman himself and covered the legislation of the Congress of the United States, of the legislature of New York, of the British Parliament, and of the legislative bodies of pre-war Germany and Prussia. The results are set forth in a systematic treatise on administrative law which cannot fail to be gratefully received by the legal profession. It is a masterpiece of logical analysis and orderly exposition.

The student of government will be especially interested in the author's conclusions concerning the place of administrative powers in regulative legislation. Noting that under modern conditions a policy of regulation almost inevitably implies administrative power, he raises the question as to which type of power is the most effective and which type is likely to be permanent. It is impossible within the limits of space available for the reviewer to do justice to Professor Freund's discussion of the comparative merits of the two conspicuous types of power, the enabling power (the administrative permit or license) and the directing power (the administrative order). The chief political problem concerning administrative power relates to the delegation and the use of discretion. Professor Freund's views concerning the relative advantages and disadvantages of the quasi-judicial administrative process, of the more

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arbitrary form of a legislative fiat, and of the system of determination by boards frankly constituted on the basis of interest representation, deserve the careful attention of every student of modern government. To one such student at least the reading of this book suggests that the last of these three methods of exercising discretion may well take a larger place in the process of government than heretofore.

A. N. HOLCOMBE

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State Control of Industry in Russia During the War. By S. O. ZAGORSKY. New Haven, Yale University Press, 1928.—xix, 331 pp. $4.00.

Russian Finance During the War. By A. MICHELSON, P. N. APOSTOL and M. W. BERNATZKY. New Haven, Yale University Press, 1928.—xxii, 461 pp. $5.00.

Russia in the Economic War. By BARON B. E. NOLDE. New Haven, Yale University Press, 1928.—xvi, 232 pp. $2.50.

War has always been one of the crucibles in which history tested the strength and fitness of social systems. In unsuccessful wars weaknesses in social structure develop with fatal clarity and intensity and give rise to significant changes. True of other countries, this generalization is particularly applicable to Russia, with the gigantic size and the ever present inner contradictions of her social system. It was no accident that the greatest reform of nineteenth-century Russia took place after the unsuccessful Crimean War, that the first revolution occurred after the Japanese War, and that the cataclysmic change of 1917 followed in the wake of a strenuous struggle in which the weaknesses of the structure turned out to be fatal for the traditional social organization.

For this reason the economic and social history of the world war, which is now being compiled on such a grand scale for the Carnegie Endowment for International Peace, is of double significance in its section dealing with Russia: besides revealing to us an experiment in war economics that has been conducted under conditions essentially different from those observed in any other participating country, it presents us with a mine of exceedingly valuable material for understanding the nature and continuity of the events that followed. Russia, a country which depended so much upon imports of raw

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materials and of machinery, a country in which there has been both too much and too little alliance between the government and the significant industrial groups, a country in which the crucially important basic industries were a recent growth fostered to a very large extent by foreign capital and handicapped by an inadequate railroad net—this Russia became almost completely isolated at the outbreak of the war and had to defend a frontier much larger than any other frontier in the world struggle. Add to that a lack of foresight and of statesmanship, a chauvinistic confidence based upon a history of conquests in wars essentially different in type from the industrial warfare of modern times, and one begins to understand the débâcle that followed. But look more closely into the succession of events, follow the different attempts made to solve the problems offered by the exigencies of the struggle, and one sees how gradually the organizations were formed and how solutions were offered that have formed the prototypes for the political successors to work upon. From the point of view of historical succession, and in spite of the different social basis of the governing groups, the peculiar system of economic organization which is now characterized as Military Communism was largely a direct continuation of the regulative organization which had its small beginnings during the first years of the war. And the essential economic problems of present-day Russia are mainly the same that were the source of trouble before 1917.

The five studies that form the content of the three volumes above are the first installments of an extensive survey. The topics covered differ considerably in breadth, while the treatment differs in general approach. But whatever the individual variances in presentation and analysis, all the studies so far are distinguished by a considerable wealth of both documentary and statistical materials, and are thus a treasure of information for the serious student. One may disagree here and there with the particular interpretation, a disagreement not surprising since most of the authors have been in more or less direct contact with some of the events discussed and it is not easy for them to provide arguments that would be immediately acceptable to an outside observer. But the materials are here, and the student is thus provided with the bricks for erecting his own construction.

Mr. Zagorsky's study opens up with a brief, possibly too sketchy description of the main characteristics of Russian national economics. He goes on to summarize the different lines along which the destructive influence of the war has manifested itself. Both these brief

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sketches provide a background against which the actual course of regulation is unfolded. Here we find a detailed description of the growth of central regulating organizations and of the problems as they have developed in the most important branches of production, viz. fuels, metals, textiles, leather. The account starts with the hesitant beginnings of control by state authorities in the first year of the war when the government was afraid to coöperate with or to encourage the self-initiated organization of the industrialists of the country, lest this encouragement of social initiative break down the tradition of ruling from above. The account ends with the fully developed state monopoly of distribution of some commodities during the first months of the revolution.

The recital abounds in quantitative and non-statistical material. But there are important defects or rather omissions in the volume. The narrative is not so well organized or sustained as it might be, probably because, in spite of the exceedingly large scope of the problem, the author has treated in detail the cases of separate industries. The discussion of state control in chapter vii is on the whole inadequate, and could hardly be otherwise within the space allowed. There are errors such as on page 41 where the table at the top of the page should probably read "consumption of fuel" and not "output". But these are minor flaws in a study extremely valuable as an organized compilation of significant data.

In Mr. Zagorsky's account the inadequacy of government regulation in Russia during the years 1914-1917 stands out rather clearly. The scope of governmental intervention was extending gradually toward a complete monopoly, yet at no time under the Tsarist rule was the regulative pressure effective enough to distribute the war burdens differently from the way in which the untrammeled contest of the social groups had put it. There was little effective attempt to change the social consequences of a war subsidized largely through inflation. Where the burdens of this war fell will probably be shown in the volumes to follow.

Where the money came from is made clear in the three studies that form the volume on Russian war finance. Of these three, the one by Bernatzky on the monetary policy seems by far the best. It gives an adequate description of the earlier period, with especial emphasis on the Witte reforms, and recounts in sustained and flowing narrative the full story of the inflation. An interesting point that stands out is the lack of organized relations between the state bank and the private banks, and the fact that the banking com-

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munity's behavior was not on a high level of social morality. The problem of war finance was immensely difficult for the essential reason that Russia was a poor country even before the war, that during the war it had to contract an unfavorable balance of trade, that its taxation system was antiquated and that at the beginning of the struggle the state relinquished one of the biggest sources of income, the revenue from the monopoly of alcoholic drinks.

A full account of the revenue and expenditure system through the war is given in Mr. Michelson's study, an account distinguished for its completeness if not for any fluidity or facility of presentation. The author takes up the state budget year by year, beginning with the pre-war year and going through 1914, 1915, 1916 and 1917. Among the details of the separate items there stands out again the archaic, undemocratic character of the whole system, with its ordinary and extraordinary funds, with large expenditures and appropriations made without the consent or knowledge of the supposed representatives of the population, with the preponderance of indirect taxation and an almost complete absence of effective direct taxation. At the same time one notes the wide field that the budget covered, what with the numerous crown and state properties and the government-owned railroads, post and telegraph. The tax reforms that were planned in 1917 remained mostly on paper.

A similarly circumstantial account is presented of the credit operations of the Russian government during the war by M. Apostol. In the first part the author meticulously lists all the internal loans floated, the amount of money raised, the yield to the investor; while in the second part he enumerates the loans floated abroad and describes the negotiations that preceded and accompanied their realization. Of interest is the disproportionately important part that the state bank played in financing the internal loans. In distinction from the richer and financially more developed countries, the private credit organizations were not able to float the huge loans without considerable help from the state bank. In these conditions, the actual amount of purchasing power withdrawn by these loans was to a large extent a result of inflation and not of any voluntary renunciation of purchasing power that takes place when the population buys loan certificates with its own savings.

Baron Nolde's volume on the economic war reads remarkably well, and is from that point of view the best of the series. He develops the interesting (but hardly novel) thesis that the economic war was forced upon Russia by the exigencies of the struggle, that measures

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restricting enemy commerce were foreign to the traditional Russian policy of holding commerce neutral. The economist will be interested to find in this volume evidence of the peculiar position in which Russia found herself upon the outbreak of the war. The country was cut off from her chief economic agent, Germany, was helpless on the Black Sea, and suffered quite considerably from the blockade that Great Britain had carried into effect against Germany. Russia was bottled up both by her enemies and by her allies, and the acuteness of the situation was not much relieved by the inconvenient Swedish route or the inadequate Russian port facilities in the North. It is thus not surprising that Russia actually never interrupted her trade with Germany (it continued via the neutral countries) and that she contemplated a return to extensive economic connections with her western neighbor after the hostilities.

One leaves the volumes with the impression that here is a rich treasury of material, and that when completed it will be unmatched by books in any other language for its wealth of data. Defects in presentation, interpretation and omission there are, to be sure. One does not find sufficient indication that the economic prosperity of Russia after 1905 and prior to the war was not sound all the way through. For example, the balancing of the budgets of the railroads was accomplished only through the economies of Ruchlow which resulted in underequipment of rolling stock and were eventually one of the contributing causes of the breakdown of the railroad system. Nor is it emphasized that in the pampered conditions in which the large-scale Russian industry grew, the large size of its units was not at all a sign of technical efficiency. One might also object to the constant use of money terms, and to comparisons carried through without deflating money volumes to purchasing power. Rough as such calculations would necessarily be, they might prevent a number of misleading impressions, and would especially change the comparisons which show the year 1917 to be a year of such tremendous inflation and financial débâcle as compared with 1915 or 1916.

But these suggestions really mean that one can still improve upon the materials by turning them into a different form, and that one should not take uncritically some of the presentations. The studies, however, do not aim at a state of perfection that would preclude such critical attention of a serious student (and they are destined for the latter). Such as these volumes are, one interested in the problems of war economics in general and in the Russian problem

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in particular feels grateful for the valuable material which has been made available and looks eagerly forward to the publication of the remaining volumes in the series.

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New Schools of Russia. By LUCY D. W. WILSON. New York, Vanguard Press, 1928.—xxiv, 320 pp. $.50.

How the Soviets Work. By H. N. BRAILSFORD. New York, Vanguard Press, 1927.—xv, 169 pp. $.50.

The Economic Organization of the Soviet Union. By SCOTT NEARING and JACK HARDY. New York, Vanguard Press, 1927. —xxii, 245 pp. $.50.

Soviet Trade Unions. By ROBERT W. DUNN. New York, Vanguard Press, 1928.—xix, 238 pp. $.50.

Village Life under the Soviets. By KARL BORDERS. New York, Vanguard Press, 1927.—xxii, 191 pp. $.50.

Religion under the Soviets. By JULIUS HECKER. New York, Vanguard Press, 1927.—xi, 207 pp. $.50.

Soviet Russia and Her Neighbors. By R. PAGE ARNOT. New York, Vanguard Press, 1927.—xxiv, 175 pp. $.50.

Women in Soviet Russia. By JESSICA SMITH. New York, Vanguard Press, 1928.—xiv, 218 pp. $.50.

Health Work in Soviet Russia. By ANNIE J. HAINES. New York, Vanguard Press, 1928.—xviii, 177 pp. $.50.

The purpose of these clearly and concisely written books is to inform the general reader of the essential facts of present-day Russia. All of them are written by men and women who at one time or another since 1918 have visited the country and liked it, some of them staying there to pursue useful activity. The authors are on the whole in sympathy with the general tenor of post-revolutionary Russian life, although a few are not without a critical appreciation of some shadowy sides of life under the Soviets. Sympathy and critical awareness are both necessary if an honest study of such a live and controversial subject is to be made.

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The task of a compact and clear presentation of this many-sided and fluent new life is not easy, and in the attempt to be brief and definite the positive bias of some of the less critical authors has found too much play. No one at present is competent to pass authoritative judgment upon every side of modern Russian life, and in the brief reviews below the reviewer does not claim such omniscience or finality of judgment. The paragraphs that follow present the opinion of a layman, who has spent most of his life in Russia and who maintains a lively interest in current Russian history.

The opening volume of the series, H. N. Brailsford's *How the Soviets Work*, is by far the best. It presents a vivid description of the political system of the Russian soviets, shows how the Communist Party maintains its majority in the upper, most decisive administrative bodies, gives an elucidating and properly disillusioning account of the federal structure of the U. S. S. R., and indicates, if somewhat too briefly, the spots on the Soviet sun: the problem of democracy, the treatment of the intellectuals, and the troublesome economic question of capital accumulation. One might cavil at the author's use of the favorite illustration of the Prohorovka Mills at Moscow as an example of labor's active participation in Soviet life. But this relation of labor to authority is a difficult question, and short of an intensive economic and sociological investigation, one can only express an opinion about it. Brailsford's seems an intelligent and acceptable one.

In *The Economic Organization of the Soviet Union* the authors faced a problem immense in its scope, and the necessity of presenting it within a single small volume has resulted in a sketchy treatment. The book mentions agriculture, industry, foreign and domestic trade, coöperatives, foreign capital and concessions, the part of labor, etc. Consequently, some of the more complex problems could not be discussed adequately. There is also too much insistence upon achievements, and too little attention paid to the formidable problems to be solved. One tends to object to the use of percentage figures of growth during the period of reconstruction as in any way indicative of the efficiency of the post-revolutionary economic system of Russia. The final impression is that it would have been better to split the topic into subsections, and allow a more thorough treatment of the economic structure and problems of Soviet Russia than could have been possible in the scope of 250 pages.

The discussion of the *Soviet Trade Unions* is much more thorough in comparison. It may seem dull to the general reader, since it is

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preoccupied with technical questions of membership, fees, benefits, etc. In the social constitution of Russia, trade unions are also professional organizations of the privileged social groups, as well as unions of laborers for the defense or extension of their economic achievements. This basic distinction is not sufficiently emphasized. One also notices the absence of discussion of the question of trade-union leadership, a rather important test of the vitality of these organizations. The book, however, is thorough as far as it goes.

One would hesitate to say the same of K. Borders' *Village Life under the Soviets*. The task set to the author was immensely difficult. Russian villages and Russian agriculture have never been so concentrated and accessible to the eye of the observer as the cities and industrial centers. Nor have they become any more organized after the revolution. There are still the same vast differences from region to region. Added to that is the fact that with regard to the village the policy of the Soviets is most fluctuating, and the status of the village in 1928 is quite different from that in 1926. One therefore refuses to take seriously any general description, and K. Borders' lively account is interesting but not significant.

An admirably clear-cut recital is J. Hecker's *Religion under the Soviets*. The proper title of the book should really be "The Greek Orthodox Church under the Soviets", for it deals with the changes in the organization of the Orthodox church in Russia, and its relation to the state, while little attention is paid to the other organized churches. It is a pity that the book does not attempt any discussion of the religious attitudes of the people themselves. It does, however, give a clear and seemingly balanced account of the Orthodox church in the revolution, of the creation of the Living Church, of the dispute about church treasures during the famine, etc. A minor criticism suggests itself in regard to the chapter on the religious dilemma of the intellectuals. One wonders whether it is of any significance in present-day Russia, and whether one should not rather devote some space to the religious revivals that seem to have taken place among the common people in Russia during some of the post-revolution years.

Instructive, though avowedly sketchy, is R. Page Arnot's *Soviet Russia and Her Neighbours*. Arnot traces briefly Russia's foreign relations since the friendly greeting by President Wilson through the blockade to the recognition. The account is necessarily out of date by now (true of the other volumes, this is felt much more in the one under discussion) and since its publication other books have

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appeared that treated this segment of history with greater detail and with more balance. But the account given by Arnot of the attitude of the foreign powers towards Soviet Russia, with its fluctuations mainly a reflection of the latter's present and potential stability, and brief recital of Russian policy in the borderlands and in the East hold the reader's interest. One begins to understand the causes of the suspicions which present-day Russia entertains towards her powerful neighbors, and which may disappear only as years of peace roll by.

The three remaining volumes of the series overlap in content, although not to an annoying extent. Of the three, the one by Jessica Smith is by far the most interesting. It deals largely with the marriage law, gives account of the discussion that accompanied its passage and its changes, and throws a good deal of light on the question of new morality (the other questions, i. e. protection of motherhood, children help, etc. are discussed also in the other two volumes). The treatment is interesting in showing how certain sore and complex problems of present-day morals lose their knotty character, once certain social prejudices are consciously discarded. In Russia women do not yet have opportunities equal to those of men, may never have them, and in the hardships of current Russian life they may be bearing the heaviest load. But a number of purely medieval restrictions have been lifted and family life is on a healthier basis.

The two books on health and on education lack interest because there does not seem to be a clear distinction between programs and achievements. The principles and the projected programs in the fields of both public health and education are interesting. In the former the recognition of the social value of health work and of the responsibility of the state are important, although hardly novel. In the latter field the same may be said for the project system. But the achievements of public health work are so dependent upon a solid economic foundation that it is too early to recite them for Soviet Russia. As to the educational system, one can hardly tell from Miss Wilson's book what is the present status of primary, secondary and higher education in Russia. The questions of the quality of higher education, of class restrictions on admission, and other rather sore problems in Russia are scarcely touched upon.

The detailed criticism above should not detract from the value of these brief and informing books. They sometimes lean over on the side of adulation, and one feels that a more balanced and attractive

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treatment would have resulted if there were less talk of achievements and more of the problems which confront Russia and for the solution of which she ought to have the sympathy and direct help of the richer countries. But in the ever increasing flood of journalistic literature about Soviet Russia, these books are among the best for the average uninformed reader. They do indicate, however, a need for a more thorough investigation of Russia by impartial foreign scholars, an intensive field study which was probably out of the question for the authors of the Vanguard volumes.

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The Native Problem in Africa. By RAYMOND LESLIE BUELL. New York, The Macmillan Company, 1928.—2 vols., xiii, 1045 pp.; x, 1101 pp. $15.00.

This is not a study of European policy in Africa nor is it a study of native culture. These two types of study exist in abundance, the one written by ex-diplomats, officials, imperial and colonial historians; the other by travelers, geographers and anthropologists. This is rather a study of the contact of European policy and administration with native life and the causes and consequences of such contact, thus referring as background to both of the other two types of study but not focusing attention on either. By a massing of concrete observations, statistics and documents, the author shows what is happening to the native to-day in most parts of Africa. There is a minimum of generalization. The reader must wade through the two thick volumes before he can make up his mind what the author thinks about it, but after he has done so he will realize the problem of Africa as he never could by any brief summary or system of generalizations. The reviewer speaks from experience. He has read the volumes through and commends them to others who seriously want to know about Africa.

Under the auspices of the Harvard Bureau of International Research, Mr. Buell spent fifteen months of 1925-26 in Africa and the European capitals of the colonial powers traveling, observing, conversing and collecting documents. Before and after this visit he seems to have gone through the literature on Africa, which, with the documents, occupies some fourteen hundred titles in his bibliography. Finally he prepared scores of statistical tables on popu-

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lation, health, trade, finance, missionary effort, etc.; arranged the texts of fifty documents including legislation, treaties, contracts, mandates, minutes of colonial councils, etc.; and wrote two thousand pages of elaborately annotated text in time for publication in the summer of 1928.

The book deals with British, French and Belgian territory in central and South Africa and with Liberia, thus excluding the Portuguese, Spanish and Italian colonies, Abyssinia and the Arab countries of North Africa. Much the larger part of Black Africa is, however, included, enough to disclose the problem and the results of the main systems of administration. In spite of the already exaggerated size of the study, the reviewer cannot but regret the omission of the one independent native African state, and of the extensive territory under the oldest of the colonial powers.

Each of the fourteen territories considered is treated in a separate section, and in each attention is given to the history of European penetration; to the system of government, justice, and police; to the native land and labor problem; to the effect of European agricultural concessions, mining operations, industry and settlement; and to health, educational and welfare activity for the native. Comparisons are made incidentally but there is no general summary of conclusions except such as may be found through a perusal of the statistical tables at the end.

The author's method is a model of objectivity—adjectives are rare, quotations are abundant. Every statement is documented in the footnotes, and where criticism of the administration does appear, it is nearly always in quotations from white citizens, often officials, of the responsible power. This is particularly true of the section on the Congo, which is based to a considerable extent on the official reports of the Belgian government. It is a severe indictment, though the author gives full credit to the efforts in recent years of the government to remove the burden cast upon it by the Leopoldian régime.

The work is thus primarily a mine of information. It provides ample material to be analyzed and to furnish the basis for enlightened policy. The author leaves this largely to others. He, however, does have opinions. He sympathizes with the natives and would like to see Africa developed for the Africans, not only for humanitarian reasons but also because through the preservation of native labor alone can Africa be made productive. Nevertheless, he has no illusions as to the immediate capacity of the native Africans to run a

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modern government. Their efforts to run western institutions without aid, even when partially westernized themselves, as are the governing Liberians, are likely to result in peculiarities. At the Liberian election of 1927 the incumbent of the presidency was reëlected with a majority of 125,000 out of 6,000 eligible voters!

The writer believes in the preservation of native tribal institutions for order and justice, as is done especially in Nigeria, thus releasing European effort for the problems of public health, education and the development of native small farm agriculture. The latter has proved remarkably productive on the Gold Coast. The danger of too rapid economic development, especially of mines, is emphasized. The extensive introduction of capital is likely to make demands upon labor which can be met only through forcible recruiting. The native populations, already declining in many parts of Africa through the spread of diseases incidental to the development of communications and the introduction of civilized vices, are in danger of succumbing entirely to requisitions of the able-bodied men for labor or military service. Not only do such laborers die in large numbers when compelled to work in an unfamiliar environment, but their absence from the native village breaks up the tribal discipline. These evils have been especially prominent in connection with the mine operations of South Africa, and the Katanga area of the Congo; in the concession system of Congo and French Equatorial Africa; and in the white settlement plantations of Kenya. The experience of these territories supports Mr. Buell's pessimistic view of the results, if the recent Firestone concession in Liberia actually materializes as planned. It seems doubtful whether Liberia can supply labor to operate a million acres of rubber plantation without compulsion which will create a condition little different from slavery.

From the study one gathers that extensive white settlement means inevitable disaster to the native. It is almost certain to result in his gradual loss of land and compulsion to work in the settlers' farms, mines and industries. In time he may adjust himself to this situation, but as yet he has done so in no part of Africa. While natives may be exploited by a European autocrat like Leopold more than by a white administrator on the spot, their interests are likely to be safer in the hands of a European parliament than in those of a local white parliament. International supervision is even better, and the superiority, from the native's standpoint, of the French mandates over the neighboring French colonies is striking.

The book furnishes data for interesting comparisons of the results

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from application of the very different colonial systems of Great Britain, France and Belgium, though the author avoids generalizations. In fact in view of the great differences which exist in the systems applied to territories in South, East and West Africa, such generalizations are dangerous. If the native is the best off in Nigeria and the Gold Coast, perhaps he is almost the worst off in South Africa.

No reader can fail to be impressed by the difficulty of the problem. Africa is in contact with western industrialization, and its economic development seems inevitable: yet the violent change in the habits of the native in entering upon continuous labor, the extensive labor necessary for the construction of roads and railroads, which are a *sine qua non* of further development, and the spread of diseases incidental to the increase of communications, not to mention the probable introduction of abuses like military service, alcoholic beverages and social evils, are likely to destroy the native. This will render impossible the very economic development which was planned, unless his place is taken by white or Asiatic labor, a development which, in many parts of Africa, seems impossible for climatic reasons. If the world is so small that the native can not be left alone, the white man must plan his operations with the utmost care and be willing to go slowly or he will defeat his own ends. This book sets forth clearly the nature of the problem and gives evidence of the direction in which its solution may be found.

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Letters of Members of the Continental Congress. Edited by EDMUND C. BURNETT. Volume III. *January 1st to December 31, 1778.* Washington, Carnegie Institution of Washington, 1926. —lxii, 582 pp. $5.00. Volume IV. *January 1st to December 31, 1779.* Washington, Carnegie Institution of Washington, 1928. —lxvi, 581 pp. $5.00.

These new volumes of *Letters of Members of the Continental Congress*, prepared like their predecessors under the general direction of Dr. J. F. Jameson and the special editorship of Dr. Burnett, maintain the high standards set in the earlier issues, offering a remarkable behind-the-scenes view of a revolutionary legislature. One notable feature is the large proportion of hitherto unprinted material, rising in volume IV to about three-fourths of the total and gathered as before from widely scattered depositories.

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For the years 1778 and 1779, the member of Congress represented by the largest number of items is Henry Laurens, who served as president in 1778. Aside from the official communications signed by him in that capacity, he was much given to informal letter-writing, expressing himself with some freedom on the shortcomings of his colleagues. Though some eminent members of earlier years were no longer in attendance, an assembly which included Richard Henry Lee, Samuel Adams, John Jay (president in 1779), James Duane, Gouverneur Morris, and William Ellery—each represented by a substantial number of letters—was not altogether undistinguished; there are a few letters also from Robert Morris and Roger Sherman. It should be added that some of the most interesting comment on men and events is contributed by comparatively obscure personages. One of these forgotten politicians was James Lovell of Massachusetts, whose fluent and lively pen often recorded the less agreeable aspects of the congressional scene. A thorough-going partisan, narrow and ungenerous in his judgments, he was one of the malcontents in the dark days of the Conway Cabal. An equally strenuous, but more engaging, personality was Thomas Burke of North Carolina, a staunch defender of states' rights. Diaries as well as letters are reproduced—chiefly for this period those of Samuel Holten (Massachusetts) and John Fell (New Jersey); their entries are meagre but throw some light on the routine of congressional business and society.

The outstanding event of 1778 was the French Alliance. Though the treaties were signed on February 6, the news did not reach Congress until the first week in May. The long and trying interval included the tragic winter experience of the army at Valley Forge and, in the spring, much anxious consideration of Lord North's conciliation proposals. A reader of the correspondence for March and April will get a vivid sense of the relief which the good news from Paris must have brought to the hard-pressed congressmen in their back-country quarters at York, Pennsylvania, where they had taken refuge after Howe's occupation of Philadelphia. The alliance of course aroused much enthusiasm; but before long there were discordant notes. Andrew Adams of Connecticut, writing in the midst of general rejoicing over the arrival of the French fleet, wondered whether the new connection might not "ley us under an Obligation of affording France an arm'd force in Case they Need it which . . . may be very disagreeable to our Northern people: besides would it not be much to our Advantage had we settled the present Controversy in our favour without a foreign Aid . . . Under such Idears I have

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never been fond of the Assistance of any foreign Power" (vol. III, p. 347). Adams was not the only doubter, but Ellery argued that the alliance was justified by a larger view of the objects of the war. Anticipating the later advocates of manifest destiny, he contemplated divesting Britain "of every foot of land upon this Continent" (vol. III, p. 269).

Without taking too seriously all that New Englanders, New Yorkers and Southerners wrote about each other, it must be admitted that these harassed congressmen got badly on each other's nerves to the great detriment of public business. The long drawn out contention between the Deane and Lee factions wasted time and disturbed our relations with the French government. In 1779, the discussion of peace terms, and particularly the New England fisheries, brought much sectional feeling to the surface. Such considerations were not always controlling, however. The Virginia Lees lined up for their attack on Silas Deane a substantial group of New England delegates. Again, Laurens of South Carolina gave offense to the North Carolinians by supporting the New Englanders on the fisheries question. It was argued that if the war were continued for that object, North Carolina could not "make any exertions for the defense of South Carolina, nor do we believe she will be inclined to make any" (vol. IV, p. 130).

Congressional inefficiency was a favorite topic and not among outsiders only. Richard Henry Lee complained of "the destruction of time under pretext of order, and by long confident speeches" (vol. III, p. 478). Jenifer of Maryland thought things would go better if members "talked less and thought more" (vol. IV, p. 203). Congressional indiscretion was another sore point. "There is", wrote President John Jay in 1779, "as much Intrigue in this State House as in the Vatican but as little Secrecy as in a boarding school" (vol. IV, p. 177). More serious complaints appear frequently. Writing early in 1778, William Ellery declared that recent military disappointments "would be nothing if avarice and peculation did not rage irresistibly. The Love of country and public virtue are annihilated. If Diogenes were alive and were to search America with candles, would he find an honest man?" (vol. III, p. 84). Laurens wrote similarly to a southern governor: "Were I to confide to you Sir, scenes of venality, peculation and fraud which I have discovered, the disclosure would astonish you" (vol. III, p. 385). A Virginia member informed Jefferson that "all affairs proceed upon the interested Principle—by avoiding one set of Plunderers, we are certain to fall

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into the clutches of a still more dangerous set " (vol. III, p. 445). A disgusted South Carolinian denounced the neglect of " Great public concerns ", " whilst almost our whole time is ingroced by the private interest of individuals "; he intended, before leaving Congress, to tell his colleagues that they were " not calculated to conduct the business intrusted to them " (vol. III, p. 453). The Lee faction had much to say about the mercantile connections of their opponents and Charles Carroll of Carrollton indicated in this connection some misgivings about Robert Morris (vol. IV, p. 239).

Early hopes of a speedy ratification of the Articles of Confederation faded as the seriousness of the Western land question was more generally realized. Maryland's stubborn attitude was vigorously resented. In February, 1779, Whipple of New Hampshire, noting the accession of New Jersey and Delaware, added: " there now only remains Maryland who you know has seldom done anything with a good Grace. She has always been a froward hussey ". Virginians, whose far-reaching Western claims had lately been strengthened by Clark's campaigns in the Illinois country (which, incidentally, are not mentioned in these documents) were especially sensitive. One of their delegates called the Maryland instructions on the Western question " a very extraordinary, indecent performance " (vol. IV, p. 226). Some Virginians were feeling their way toward a compromise; but the Confederation hung fire for two years more and there was talk of organizing under the Articles without waiting for Maryland.

Perhaps the strongest impression left by these volumes is that of men struggling with problems recognized as urgent, but on which they were conscious of making little headway—army reforms, the organization of executive departments, currency depreciation, the curbing of profiteers and speculators. The reader of these letters, like the men who wrote them, finds a just perspective difficult. Inefficiency, corporate and individual; mutual suspicion and cynicism; the dulling of patriotic enthusiasm—all these must enter into any true picture of the time. Yet these very fallible human beings, facing obstacles which at times seemed almost insuperable, somehow managed to " carry on ". Congress may not have been an " august assembly " as a new Massachusetts member called it; but it had a substantial proportion of hard-working and courageous public servants. Samuel Adams put the case for the defense, with some degree of justice, in a letter to his friend, James Warren: ". . . You ask me What we are doing? Many things indeed. And if you will

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grant that some things have been done well, I will frankly confess to you that others might have been done better. I think we do as well as we can, considering the Pile of Business every Morning laid on our Table" (vol. III, p. 476).

EVARTS B. GREENE

Chapters in the Administrative History of Mediaeval England: The Wardrobe, the Chamber, and the Small Seals. By T. F. TOUT. Manchester, University Press, 1928.—Volumes III and IV, xviii, 495 pp.; xv, 484 pp. $12.00 each.

When the first two volumes of this work appeared in 1920 (reviewed in the POLITICAL SCIENCE QUARTERLY, vol. XXXV, pp. 653-658), the author hoped that the two concluding volumes would appear "within a couple of years at the most". But in view of the vast research there is no surprise that two years have stretched to eight. And now there is to be a fifth volume, for which most of the material is already assembled and "its publication ought not to be postponed more than another year". This final volume will deal directly with the fourteenth century history of the small seals, though a deal of information about them is to be gleaned from the volumes under review. There will also be an account of some non-royal households and a "full index to the whole work".

Two immense chapters occupy the whole of volume III and sixty-eight pages of volume IV. They deal with "administration and politics" for the remainder of the period which Professor Tout has set himself to study, that is, the reigns of Edward III and Richard II, 1327-1399. Here is intended a chronological account of the household features of administration (he speaks of work on chancery and exchequer soon to be published by his pupils, Dr. Wilkinson and Dr. Broome), stressing the connection with constitutional history in general. Yet the greater interdependence of all great offices in this period makes it necessary to include more non-household government than in the preceding volumes; and, fortunately for the student of constitutional history, Professor Tout has not rigidly excluded all that does not bear obviously on his subject. There is much about law courts, Council, and especially Parliament—on the last, occasional long and critical footnotes, as where he shows reaction against McIlwain's and Pollard's view that this early Parliament was mainly law court; also against much that is in Pollard's peerage theory. The king's constant dependence

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on Parliament for taxes, even in the intervals of peace, brought out in interesting detail, supports an orthodox generalization on the fourteenth century. And as the exchequer control grew, Edward must keep the confidence of Parliament in carrying on the war, and show that he was not lavishing money on court expenses, that is, expenses not under exchequer purview. But there was community of interests of king and baronage (as later under Henry V); matters seem to have worked out naturally, not through an aristocratic triumph. Personal administration ran low late in the reign and it is permissible to speak of the substantial fusion of court and country parties.

In administration the striking thing is the permanence of civil service in general, though the great posts changed hands often enough. But all through the century the carrying-on power of government in all the ups and downs of royal and baronial control surely indicates maturity: "administrative continuity rose superior to political revolution". Also the "growth of a literate laity" was slowly blurring the line in administration between clerical, professional and baronial control and the more lay and personal royal control. The new inns of chancery, along with the inns of court, were educating future administrators as well as lawyers (both had to know all about writs), and it was hard for either monarch or barons to make personal use of such groups. "The educational facilities in the 'suburb of London'" were doing more than even Maitland showed to stabilize and professionalize the government of England.

With such general tendencies we are prepared to see "chamber lands" and other special sources of household income either ceasing or lessening, and the peacetime wardrobe a court office mainly concerned with household expenditure, drawing its chief sustenance from the exchequer, and not so much paying as certifying to the exchequer for payment. There is vast detail here on wardrobe officials, big and little, of whom there is no space to speak; but anyone who is anxious to find an ancestor in an administrative family of this period should know where to look. Soon after the end of the century the officers of the wardrobe had become regularly laymen and were not again to be politically important until household administration of state affairs revived under the Tudors.

Again there is the story of places and material things changing into institutions, or being both at the same time. In the last chapters we read of the beginnings of the great wardrobe—"great" in the

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sense of bulky—its germ in the supplies of the king's tailor, its splitting off from the wardrobe proper (leaving the latter a more purely accounting and administering department) to become a storehouse for clothes, furnishings, plate, jewels and non-perishable eatables, and its acquisition of a staff finally made accountable directly to the exchequer. Also the privy wardrobe, a separate storehouse of arms and armor, and its final establishment in the Tower.

It were long to tell of the informative mention of more or less incidental subjects: the great offices of state, early budgeting and the mystery of medieval accounting, the new royal "secretaries", the Peasant Revolt and the deposition of Richard II, the early use of firearms. The great achievement of this work in administrative history needs no further comment now, and no one can cavil at an author's discursiveness when he can be discursive after Professor Tout's fashion.

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The War Diary of the Emperor Frederick III (1870-1871). Translated and edited by A. R. ALLINSON. New York, Frederick A. Stokes Company, 1927.—viii, 355 pp. $5.00.

In Frederick's own preface to this published edition of his diary he writes that "the daily impressions received during the campaign" and "cursorily jotted down in my Diary under stress of military duties" were subsequently "supplemented and completed . . . by extracts from the correspondence regularly maintained between my wife and myself." Mr. Allinson in his foreword states that this is a translation of a fourth and final revision of Frederick's original notations. The second "version" exists in two copies in different hands from a lost original. The third enlargement is labeled by Frederick, "First Revision of the Diary", and is corrected by him and "occasionally by other hands." The now published fourth recension is a revision of the third "by a number of other persons, and with large additions in the author's hand."

The above two accounts do not exactly harmonize. Bismarck's opinion (*Reflections and Reminiscences*, vol. II, p. 128) that "the Diary was probably not written at the time day by day, but subsequently completed with turns of phrase by which courtly aspirants sought to render the contents more credible" is at least partly substantiated. While it is not a matter of the utmost importance so

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far as the general reliability of the diary is concerned, yet one would like to know the identity of these "other hands" and the nature of their revisions.

Frederick forbade the publication of his diary until 1922. This reluctance remains a little inexplicable, since it is chiefly a rather tedious enumeration of military happenings under his commandership of the third army. Even for the military historian the value of the account is limited by Frederick's general isolation from headquarters. He is continually complaining about this. "As I seldom come into close contact with the Royal headquarters, I cannot count on receiving much attention" (p. 105); "Of the exact course of our policy . . . I hear just as little as at other times in Berlin; unless I beg for enlightenment, everything remains hid from me" (p. 297).

Neither for the student of the *Kriegsschuldfrage* of the Franco-Prussian War is there any new material here. It is the official account. The king of course "instantly rejected" Benedetti's demands and recognized "the whole infamy of France" (p. 5). Bismarck explains on the following day "that concession for the sake of peace was become impossible" (p. 6). No Ems dispatch! "In the face of the wanton provocation of France all Germany has risen like one man; it will surely establish her unity" (p. 8). Yet ten days later the Bavarian king could express "his heartfelt desire to see one day a triumphant peace assure the independence of Bavaria" (p. 23).

To be sure, the descriptions of the surrender of Napoleon III at Sedan, the ceremony of the proclamation of the Emperor, the negotiations for the armistice and the entry into Paris contain colorful material. The three-hour discussion between the king, the crown prince, Bismarck and von Schleinitz on the afternoon of January 17 deserves special mention. Discussing titular changes in an overheated room, the king, growing angrier every minute, spoke of the imperial dignity as "just a matter of form, nothing more than another name for President", he, a major "on whom brevet rank as Lieutenant-Colonel" was being bestowed. Finally, "in furious anger" he broke off the discussions and declared he would not hear another word of the ceremony appointed for tomorrow" (pp. 267-8). The king, the crown prince and von Schleinitz all became ill after the scene.

Of chief interest, however, remains the contradictory person of this liberal crown prince, a combination of liberal lonely among his surroundings with ardent imperialist, to whom Bismarck is "the insolent, brutal Junker" (p. 241), and with upright and pious

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Prussian Protestant crusader, convinced that the Germans, as "indisputably the foremost people of the world in civilization" (p. 241), should bring it about that "the rest of the world . . . be humanized, manners ennobled, and people diverted from these frivolous French tendencies" (p. 168). Likewise, the figure of the capable field marshal to whom the horrors of war are ever painful makes this a contribution not without interest to the history of a momentous period.

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Palmerston. By PHILIP GUEDALLA. New York and London, G. P. Putnam's Sons, 1927.—xiv, 548 pp. $5.00.

One cannot read this masterly biography without feeling that "the Life of Palmerston was the life of England and, to a large extent, of Europe in the last sixteen years of the Eighteenth and the first sixty-five of the Nineteenth Centuries." Born in the era of Gibbon and Sir Joshua Reynolds, he entered public life in the era of Pitt and Fox, and survived to wage diplomatic warfare with Lincoln and Bismarck.

Palmerston became minister of war at twenty-eight. Some of the best passages in the book describe, against the background of the Napoleonic Wars, young Palmerston in his prosaic tasks of administration and in his encounters with the commander-in-chief, "that veteran, whose military experience included almost every unsuccessful engagement fought in Europe for the past fifty years."

Some 200 pages are devoted to Palmerston as foreign secretary. Nothing of diplomatic importance is neglected: Belgian neutrality, the crisis of 1840 in the Near East, the revolutions of 1848, all are handled with that lightness of touch so characteristic of Guedalla. Though the field of foreign affairs was always Palmerston's first love, he was sufficiently interested in parliamentary reform, free trade, slavery, etc., to furnish the writer the opportunity to treat these important problems. Considerable attention is given to the evolution of parties and it is here that many of the outstanding personalities of the period are made to live again. The reader will not forget Victoria and Albert, Cobden and Bright, "Johnny" Russell and Peel, to say nothing of Gladstone and Disraeli.

Possibly the most interesting section is the last, devoted to the two premierships of Palmerston. Prime minister at seventy, he attempted to infuse life into the Crimean War which ended, despite

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his best efforts, with the Treaty of Paris, upon which the author comments in characteristic fashion: "There have been worse treaties after better wars." Intensely interesting to Americans is the account of Palmerston's relations with the North during the Civil War. Here the author takes the position that Palmerston, though very sympathetic with the South, never wanted war. The closing years were marked also by the duel with Bismarck over Schleswig-Holstein and, as the Prussians turned toward Sadowa, "the last candle of the Eighteenth Century was out."

The style is brilliant and fully up to the standard set in *The Second Empire*. The organization is unique in that the author adheres rigidly to the chronological method. In the hands of a less skilful writer this method would doubtless prove disastrous but instead we have a picture of the man and the period that will long endure. The following passage, chosen at random, illustrates the method as well as the artistry and power of the author.

> So 1847 faded on the Queen among her Christmas trees at Windsor, and Palmerston at work on boxes of Italian papers, and Melbourne murmuring in his chair. Beyond the sunset Garibaldi still trailed his *poncho* round the dusty streets of Monte Video, dreaming of Italy; and a dull-eyed Prince escaped from Ham, and seemed almost to have escaped from destiny, as he sat entertaining London dining-rooms in his muffled voice. But something stirred in Italy; there was a faint *malaise* in France; even Germany seemed restless. The scattered voices rose on the still air; and a hint of thunder came across the silence as the world slipped quietly into 1848.

The reviewer finds little to criticize. The author displays his accustomed disdain for the trappings of historical research, so footnotes are lacking. There is, however, a complete bibliography appended and the text shows evidence of many hours with Hansard, the other traditional sources, and a mass of unpublished material. The book is a bit difficult for the uninitiated and some readers might be willing to sacrifice atmosphere at times for something more substantial. The reviewer also feels that the author is not always fair to Albert and Victoria, and does not agree with Guedalla's estimate of Cobden and Bright, who were fully as significant as Palmerston.

ARTHUR N. COOK

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Denkwürdigkeiten des Marschalls Izzet Pascha. Translated and edited by KARL KLINGHARDT. Leipzig, Verlag von K. F. Koehler, 1927.—309 pp., 5 maps. 12.50 marks.

The editor of Izzet's memoirs, which, curiously enough, are published first in this German edition, describes the writer as a representative of the Old Turk element at its best. Belonging to a prominent Albanian family and growing up in the atmosphere of Turkish feudalism, he later attended the military schools of Constantinople and was, for a time, attached to a German regiment for further training. After distinguishing himself in the war with Greece and then suffering temporary banishment, he became chief of staff in 1908 and devoted himself to the reorganization of the army after the revolution. As commander of the forces charged with suppressing the revolt in the Yemen he was unable to take part in the Tripolitan War and reached the capital only in December, 1912, after the decisive battles of the first Balkan War had been fought. He commanded in the second Balkan War and was stationed on the Caucasus front during the world conflict. After the debacle he served as Grand Vezir, foreign minister and minister of the interior in the period just preceding the rise of Mustapha Kemal Pasha.

Izzet's name is not one of the familiar ones in the roll of Turkish leaders, and yet no one who has read these memoirs will quarrel with the editor's assertion that he was an unusually gifted man and a real patriot. Certainly he had little in common with the other leaders of his day. He regarded the old régime with a very critical eye, but believed that the disease from which the empire had been suffering so long was a functional rather than an organic one. When the revolution came in 1908 he was ready to give the new men a chance. But he was not a Young Turk and was never in the inner councils of the Committee. He admits that on the whole he was given a square deal, but realizes that he was not a man after the Young Turk heart. Politically speaking, he was of the level-headed type and thoroughly moderate. War of any kind, he thinks, should have been scrupulously avoided in order that the reorganization of the state might be carried through. It was not the attitude one commonly associates with the military leaders of pre-war Europe and it was not in keeping with the ideas which dominated the Young Turk regime. The surprising thing is that Izzet was tolerated at all. In a paragraph of keen self-analysis he points out his own great weakness—the inability to put himself or his ideas across.

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Under the circumstances it is needless to look for important political revelations in this volume, which covers the period to 1914. Large parts of the book are taken up with thoughtful and interesting reflections on the origins of the great war and the position of the Ottoman Empire, both from the domestic and the international viewpoint. But quite naturally the important parts are those dealing with the author's own work in reorganizing the army and preparing for the Balkan wars militarily. Izzet admits that the Turks were completely surprised by the war with Italy and that no preparations had been made for this eventuality. But the Balkan problem had been considered from every angle and four plans had been drawn up to meet an attack by any one of the Balkan States or any combination of these states. The plans were based on the idea of an initial defensive in Thrace and, so Izzet claims, had the approval of von der Goltz. Had they been followed, the Turkish victory which was so generally prophesied in the summer of 1912, might well have taken place. But Izzet himself was in the Yemen and the whole direction of the war passed into the hands of the politicians, who insisted upon the campaigns in Macedonia which resulted in the overwhelming defeat of the Turks. This was Izzet's great misfortune and great disappointment. Judging by his adroit handling of the campaign in 1913 it is quite likely that he would have distinguished himself in the operations of 1912 as well. The discussion of his strategy in the second Balkan War is highly instructive and makes perfectly clear that the retaking of Adrianople was by no means an exploit of Enver. It simply so happened that Enver was in a fortunate position and that he was very much the man to make the utmost of his advantages. Izzet has little to say in his favor. In fact he holds him chiefly responsible for Turkey's precipitate entry into the world war, though Djemal also comes in for severe criticism. Izzet believes that Turkey should have maintained her neutrality as long as humanly possible and regards Enver's action as the supreme blunder. The keynote of the whole book is one of disillusionment and disappointment, a note of anguish from a sincere patriot and clear-sighted man who was obliged by his own lack of aggressiveness and by the force of circumstances to stand by and watch his country rushed along the road to ruin by professional politicians and incompetent hotspurs.

WILLIAM L. LANGER

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Talleyrand, 1754-1838. By G. LACOUR-GAYET. Paris, Payot, 1928.—426 pp. 40 francs.

At a time when innumerable biographies are daily making their appearance the fact that Talleyrand has been slighted is surprising. There is certainly everything including romance, intrigue, scandal and diplomacy combined in this unique individual. His active political career spans the period from the Old Régime, through the turmoil of the French Revolution and the glamour of the Napoleonic period, well into the reign of the constitutional king, Louis-Philippe. The appearance of this work by the well known French biographer of Bismarck and Napoleon should be appreciated by the students of this period of history. This first volume covers the period from Talleyrand's birth in 1754 to Napoleon's *coup d'état* of 18 Brumaire 1799. The volume under consideration is the fruit of many years of study and research; it is well written and exceptionally free from bias.

One of the best chapters in the whole book (chap. iii) deals with Talleyrand's early life, his preparation for a career in the church and his treatment by his parents, all of which had a pronounced effect in shaping the course of his life. He spent much of his time in reading works that were later to be of great benefit to him in the field of diplomacy. The period between the time he left the monastery and the taking up of his duties as Bishop of Autun, 1778-1787, was really the formative period of his career. The author calls it *le plaisir de vivre.* The influence, in these few years, of Talleyrand's uncle, the Abbé de Périgord, of Choiseul, Narbonne, Comtesse de Flahaut, Calonne and Mirabeau was evident in his career. The wealth accompanying the position of the first and the political sagacity of the last two influenced Talleyrand to tolerate a position in the church because of the wealth and apparent influence that accompanied it, and at the same time to harbor a secret determination to enter the field of politics at the first opportunity.

The career of the young man as a churchman was beset with many difficulties and apprehensions. His failure to obtain the position of Archbishop of Bourges was to him a keen disappointment. This probably prompted him to seek satisfaction for his unruly ambitions in politics even while he was Bishop of Autun. He spent most of his time in Paris making associations with the Clubs and became famous for his stand on religion in the Constituent Assembly. The author makes a digest of the pamphlets written by Talleyrand on

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finances, the clergy, church, etc., which shows keen analysis. It would have been more convincing, however, if he had taken more pains in refuting the rather common charges against Talleyrand relative to Mirabeau's death.

The diplomatic career of Talleyrand is not so carefully portrayed. One gets a good idea why Talleyrand was sent as ambassador to London in 1791, of the difficulties he encountered and of his reception at the time of his arrival, but very little of what he actually accomplished or undertook while there. Respecting his visit to America, the author gives just enough of his intrigues and schemes of speculation to tantalize the reader. The sojourns of Talleyrand at Hamburg and Paris, and his literary and scholastic pursuits before his nomination as minister of foreign affairs in 1797, are much more satisfactorily handled. The circumstances of his appointment as minister of foreign affairs are given in detail, but when the diplomatic negotiations with the American ministers, Pinckney, Marshall and Gerry are taken up the work of Talleyrand is not brought in as one would expect. Certainly this is as important as the question as to whether Talleyrand was the father of Eugène Delacroix, to which the author devotes a large part of a chapter.

The coöperation of Talleyrand and Napoleon is cleverly worked out. From Talleyrand's attitude toward Napoleon's Italian campaign and from their first meeting it is clear how these two men were working hand in hand, but each for his own selfish interest. The details of the meeting are given; the results, however, of their early negotiations are sparsely treated. Little is said of Talleyrand's part in the dissensions in the Directory. The chapter on the Egyptian campaign is excellent, but one questions whether, compared with some of the other important diplomatic events of this period, it should be treated in so much detail. There is also a whole chapter on the struggle with Jorry, who was Talleyrand's successor as foreign minister. The closing chapter discusses the personal dealings between Napoleon and Talleyrand; how Napoleon came back from Egypt and with Talleyrand's aid soon became master of France and how Talleyrand ultimately became once more minister of foreign affairs.

This work is primarily a study of the personality of Talleyrand. The personal associations are well worked out, but interesting details of isolated importance often take precedence over events of national or international significance. It is an interesting running account of Talleyrand's life that will satisfy the general reader but not the

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student of diplomacy. In view of the fact that Talleyrand is generally considered the "Prince of Diplomats" this criticism seems even more justified. The use of the Foreign Office archives for the chapter on the Egyptian expedition leads the reviewer to wonder why the same sources were not more consistently utilized for other equally important diplomatic events of Talleyrand's career. The collected correspondence of Talleyrand was referred to, though not frequently, but anyone who knows this work realizes how much is hidden away in the archives that the collector did not reproduce.

The author, in spite of a few shortcomings, has made a contribution to the all too scanty works on Talleyrand. Outside of the life recently written by Anna Bowman Dodd, which is of somewhat the same character, this work will be the only available complete study. The second volume is looked forward to with anticipation.

J. E. SWAIN

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Current International Cooperation. By MANLEY O. HUDSON. Calcutta, Calcutta University, 1927.—149 pp.

This little book contains four Calcutta University Readership Lectures delivered by Dr. Hudson in 1927. They are written in Dr. Hudson's incisive style. In the sense that footnotes and other paraphernalia of research are lacking, they may be said to be popular rather than scholarly in style. They may be taken, however, as an authoritative interpretation of modern international society in its current functioning, with emphasis upon certain principles which are frequently misunderstood in the United States. It would be difficult to find a more compact survey of international organization and its current theories and principles than in these one hundred and fifty small pages.

The first lecture, "The Growth of International Cooperation before the War", is the usual introductory survey of the changes which have produced modern international society. The two outstanding forces which have revolutionized the conduct of international relations are the improvement in transportation and communication, and the industrial revolution. It might be said that the former is included in the latter; but Dr. Hudson refers especially to the division of labor produced by the industrial revolution, which made the peoples of the world dependent upon each other, and consequently demanded a new kind of political organization. The

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telegraphic union, the postal union, and others, represent the efforts to meet this situation. By 1914 there was a nascent international government. Unfortunately, there were many *lacunae*, and the world was without political machinery wherewith to meet the crisis of 1914, in spite of the valuable lessons in coöperation to have been learned from the international unions.

The second lecture, the most valuable of the four, is devoted to "The Rôle of the League of Nations in World Society". The League, says Dr. Hudson, was not cut out of whole cloth, but was a continuation of the process already described; indeed, various parts of its organization find prototypes in the preëxistent unions or conferences. For some overzealous friends of the League the following words deserve quotation: ". . . we must regard it, not as a new political entity created in a world of states, not as having a political personality of its own, not as a state in itself, but as a new method which has been adopted by the existing states for cooperating to meet those needs of world society which cannot be met by national action. . . . I sometimes fear that some friends of the League of Nations are rendering a disservice by continuing to regard it as more than a way of doing business". The League, he emphasizes, does not do this or that: a method does not have attitudes. It is the governments coöperating through Geneva which have attitudes. Article X and Article XVI of the Covenant have diminished in importance; and it may be doubted whether the attempt to enforce peace will succeed. Nevertheless, the success of the League with disputes justifies high hopes. Dr. Hudson emphasizes another principle of League procedure which deserves attention. It does not, he says, have any absolute conception of justice: it proceeds by patient and continuous discussion, shifting perhaps from one forum to another, until a solution is reached satisfactory to all. Aside from the effort to maintain peace, the administrative work of the League, such as that relating to mandates, minorities, etc., and the effect upon public opinion throughout the world, must be regarded as equally significant for the future.

In the third lecture, "The Rôle of International Courts in World Society" is discussed. Dr. Hudson does not think that a clear differentiation can be made between the political and non-political activities of the League; and he does not consider that arbitration is usually to be distinguished from adjudication. To this reviewer, and apparently to the author, the only difference is to be found in the machinery, not in the principle of judicial settlement. The

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author does not think that a court alone, without the aid of other agencies, can outlaw war. He strongly supports advisory opinions, and the coöperation between Council and Court. He foresees little success in the effort to create an American court, applying "American International Law", since American states are members of the League, and since communications do not make a cleavage between the Western and Eastern hemispheres.

The final lecture takes up "The Current Development of International Law". The old philosophy of natural rights with its rationalizing of the "anarchy of sovereignties" has impeded the organizing of the society of nations under a universal law. The War produced a revulsion of feeling against the former efforts at international legislation. Nevertheless, the period since the War has been one of great legislative activity, through unions, conferences, and formal attempts to codify certain portions of the law of nations. Codification, according to the author, has three meanings: new legislation; uniform domestic laws; restatement and adaptation of the classic principles of the law of nations. Doubtless efforts should be made in all three directions. The author is not optimistic as to the possibility of an international law which will control war to the satisfaction of world public opinion. Nevertheless, this reviewer sincerely hopes that treaties for pacific settlement and the renunciation of war and the like will ultimately result in a code of international law which will declare war to be illegal. With this principle consolidated, the functions of the League of Nations for the preservation of peace could doubtless be expanded.

CLYDE EAGLETON

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Comment la Wilhelmstrasse écrivait l'histoire pendant la guerre. By RICHARD GRELLING. Paris, Alfred Costes, 1928. —xiii, 274 pp. 8 francs.

No little noise has been raised of recent years by the discovery, through the opening of archives, that the documents published in 1914 concerning the outbreak of the war had been severely edited. A pamphlet revealing the falsifications of the Russian *Orange Book* has had a great vogue; the fact that certain documents of the French *Yellow Book* were not authentic has likewise been much exploited, and critics of British policy are gratified that the *Blue Book* was not

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an impeccable publication. What is less generally known is that the Central Powers were just as proficient in the doctoring of documents as their enemies, if indeed they were not superior. More than half of the documents in the Austrian *Red Book* were falsified, and only 69 were published, as against 352 in the post-war edition. As for the German *White Book*, it was the least complete and the least honest of the entire series, for out of 1123 documents collected by Karl Kautsky in 1919, only 49 were issued in 1914, and many of these in greatly abbreviated and distorted form. It is to the task of exposing the German falsifications and omissions that the famous author of *J'Accuse!* has addressed himself.

The most illuminating bit of editing was the omission of the Tsar's telegram to the Kaiser proposing the reference of the Austro-Serbian dispute to the Hague Tribunal (*Deutsche Dokumente zum Kriegsausbruch*, no. 366). The Tsar's first telegram (*D. D.*, no. 332) was postdated twelve hours, to make it appear as an answer to the first telegram of the Kaiser (*D. D.*, no. 335), whereas it was sent spontaneously. Then by postdating the Tsar's third telegram (*D. D.*, no. 390) and antedating the Kaiser's third (*D. D.*, no. 420), the Tsar was represented again as replying to the Kaiser, whereas the latter was actually replying to the suppressed telegram. The last of the Kaiser's telegrams (*D. D.*, no. 600) was published without the hour of despatch, thereby concealing the fact that it was sent ten hours after the declaration of war! Thus the action of the Tsar was thoroughly misrepresented. To the same end the numerous reports from the German ambassador in St. Petersburg which represented the Russian government as anxious for a peaceful settlement were either omitted altogether or else deleted from telegrams which for other reasons it was desired to publish. In similar fashion the French answer to the German ultimatum (*D. D.*, no. 571) was published without the explanation that in consequence of concessions by both Russia and Austria, the situation had improved, and the statement of the ambassador in London, apropos of negotiations for a British guarantee of French neutrality, that "if it is in any way possible, they wish here to keep out of the war" (*D. D.*, no. 596), was suppressed. When these negotiations were revealed by the German government (in September, 1914), it was careful to omit one of the conditions it had imposed, namely, that it, and not Great Britain, would determine the time limit of French neutrality (*D. D.*, no. 578). Still later, it represented the Anglo-Belgian "conversations" of 1906 and 1912 as "conventions", and of course

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there is the sorry story of the ultimatum to Belgium with its false assertions and its false dating. In the case of two documents (*D. D.*, nos. 155 and 341), additions were made which somewhat modified their sense. It is hardly necessary to add that the *White Book* was discreetly silent about the negotiations between Berlin and Vienna from July 5 onward.

During the war the German chancellor pretended to reveal something of these negotiations, and Dr. Grelling has compared the versions then presented with the texts published in 1919. On August 19, 1915, Bethmann read to the Reichstag his telegram to Vienna of July 30 (*D. D.*, no. 396). In it he had stated that Germany must refuse to be drawn into a general war by Austria-Hungary in disregard of German advice to enter into an exchange of views with Russia. But he omitted the statement that such a refusal "would provoke the armed intervention of Russia". Then he produced a telegram, according to which Berchtold had instructed the Austrian ambassador in St. Petersburg to begin conversations with Sazonov. The complete telegram (*D. D.*, no. 448), however, shows that Berchtold had authorized only "explanations" of his policy, not a genuine exchange of views. On November 9, 1916, Bethmann communicated to the Reichstag a second telegram of July 30 (*D. D.*, no. 395), in which he urged Berchtold to accept Grey's suggestion that the Austrians should stop their advance after occupying Belgrade. But his leaving out the sentence which declared that acceptance "would, by the humiliation of Serbia, strengthen Austria's position in the Balkans as well as against Russia", is interpreted by Dr. Grelling as proving the ambitions of the Central Powers which they had been at such pains to deny. The chancellor then went on to assert that Austria had accepted the British proposal, although he knew that she had not done so (from Francis Joseph's telegram of July 31) and had himself informed the British government that the Austrian answer had been cut short by the Russian mobilization (*D. D.*, no. 513).

After Bethmann's fall, two other documents were published (*Norddeutsche allgemeine Zeitung*, October 11, 1917). One was his telegram of July 28 (*D. D.*, no. 323) recommending Berchtold to accept the Kaiser's "*Halt in Belgrad*" plan; but the passages were suppressed in which the chancellor emphasized the necessity of throwing the blame on Russia. The second was a telegram from Vienna (*D. D.*, no. 433), according to which Berchtold had promised to explain to the Russian ambassador that Austria contemplated only

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a temporary occupation of Serbian territory. Thus it was made to appear that Berchtold had yielded to German pressure. But what the Austrian minister actually said was that Austria intended only a temporary occupation "after the conclusion of peace", which compromising words were omitted! In such fashion did the Wilhelmstrasse attempt to write history during the war.

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American Medicine and the People's Health. By HENRY H. MOORE. New York, D. Appleton and Company, 1927.—xxii, 647 pp. $5.00.

Health and Wealth. By LOUIS I. DUBLIN. New York, Harper and Brothers, 1928.—xiv, 361 pp. $3.00.

Two volumes of more than passing significance by Harry H. Moore and Louis I. Dublin have recently been released from the press —significant first because they call attention to a problem of American life frequently passed over in ignorance and in silence by most of those concerned with public affairs; significant, second, because they dare to suggest a possible solution for the problem they present.

The fact that some two million men and women lie sick in bed in the United States every day in the year, forty to fifty per cent of whom are so confined because of preventable diseases, and the further fact that from thirty to forty per cent of the million four hundred thousand deaths which occur annually are from these same causes, seem to these authors to be of considerable importance. Translating the situation into economic terms and having due regard for the value of life at each stage of its development, Mr. Dublin estimates "that the total capital value of the lives which can be saved annually through the application of modern preventative medicine and public health measures is over six billion dollars." And this estimate does not include the economic loss due to preventable disease which does not result in death.

In his volume entitled *Health and Wealth*, Mr. Dublin allows us to see something of the processes of thought by which he has arrived at this conclusion. Indeed the charm and the value of Mr. Dublin's book lies primarily in the frankness with which he sets forth the various steps in his interpretation of the statistical data which his position as chief statistician of the Metropolitan Life Insurance Com-

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pany has made available to him. Included in these analyses are studies of the cost of medical service, the results of neglecting our children, the problems of heart disease and cancer, old age, the negro, the worker, prohibition, and the possibility of further extending human life.

Equally vital and equally interesting is the contribution which comes from Mr. Moore's pen. In this volume the author is primarily interested in discovering the cause or causes of the situation thus described by Mr. Dublin and suggesting possible methods of eradication. After surveying the field Mr. Moore comes to the conclusion that there are "six clearly defined manifestations of mal-adjustment in medicine" which go a long way toward explaining present conditions: (1) the inadequacy of personnel and financial support of official health agencies; (2) the shortage and inaccessibility of personnel and equipment in private practice; (3) the inability of the people to pay the cost of medical service; (4) the extensive employment of inferior types of treatment; (5) the unfairness to the private physician of the present system of charges; and (6) the insufficiency of interest among private practitioners in preventive medicine. To a consideration of these maladjustments and the working out of possible remedies for them, Mr. Moore's work is consequently directed.

The reviewer cannot help repeating that although by no means pioneers in this field, nevertheless by virtue of the newer data they contain, and by virtue of their comprehensiveness, these two volumes are exceedingly significant contributions to the literature of public affairs—challenging political scientists, as they do, with a question that has long been ignored.

SCHUYLER C. WALLACE

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The Elements of Crime. By BORIS BRASOL. With introductions by John H. Wigmore and William A. White. New York, Oxford University Press, American Branch, 1927.—xvi, 433 pp. $5.00.

The author of this work was formerly the prosecuting attorney of the St. Petersburg Supreme Court. To this background of legal training and practice he brings a wide acquaintance with the literature of criminology and the related sciences. Dean Wigmore and Dr. White are justified in their approval both by his preparation and by the achievements of the book.

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Mr. Brasol considers crime from two angles: as a social phenomenon, and as a psycho-physical phenomenon. He deliberately leaves out of his study the subjects of prevention, investigation and punishment. His definition of crime is "a deed, prohibited and punishable under the laws of a particular state, constituting a wilful attempt on the part of the individual against the existing social order, and that factor which controls the co-ordination of the heterogeneous elements of which society is the synthesis" (p. 30). It is therefore not possible without law. "*Ubi societas—ibi jus; ubi jus—ibi crimen*". The author specifically denies that a crime is necessarily an immoral act. On the psychological side he traces crime back to the "egocentric propensity" which comes into conflict with the demands and regulations of societal existence.

On the sociological side of his discussion Mr. Brasol is in the main on sound footing. He refuses to accept a unilateral social causation. The Marxian theory of crime he rejects, though he admits a limited importance of the economic factor. Similarly with the decline of religion, the weakening of the family as a regulatory agency, the failure of schooling, the influence of "bad" journalism and literature. He is not always profound in his argument, as is indicated for example by his neglect of the causal factors behind the "disintegration" of the family.

The final social factor considered is the relation of crime to legislation and procedure. He points out the criminogenic nature of revolution; the effect of inadequate legislation—e. g. the Eighteenth Amendment; of the lack of legislation, as in the case of the practically unrestricted sale of pistols in the United States. The author's conclusions respecting the effect of severity of punishment upon the production of crime are skeptical. He does intimate, however, that the inadequacy of our system of criminal investigation, revealed by the small ratios of the convicted to the total arrested or to the total number of crimes, is in part at least responsible for the quantity of the professional criminal activity. His solution of the problem of correcting this situation is the introduction of an "Institute of Scientific Criminology", for which he furnishes the material specifications. His failure, however, to call attention to the relationship of politics to courts and police, is in the reviewer's opinion a very grave oversight.

In the treatment of the biophysical nature of crime, the second main topic of the book, the author displays a distinctly modern point of view. He rejects the "criminal type" and the "born" criminal.

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While a morbid heredity may produce pathogenic temperamental characteristics these do not necessarily result in criminal habits. Where professional crime appears in successive generations, it is not a congenital condition. Habitual criminal behavior (like socially acceptable behavior) grows out of the fundamental desires, achieved through the instinctive modes of behavior; these instincts are self-preservative and reproductive; imitation duplicates observed behavior good or bad. Anti-social conduct can be caused by the perversion of natural instincts, or by their suppression. Habits may be rationally influenced; they are greatly affected by temperament, which is the sum total of the affective tendencies, and character, the sum total of our rational and moral convictions.

The greatest contribution of the book lies in the penultimate chapter, on crime and responsibility. Here Mr. Brasol treats in some detail the problems presented by the legal theory of responsibility, the practice of courts in relation to it, and the conflicts between the viewpoint of modern psychiatry and that of the legalist. In developing this topic he starts out with the principle that the doer of a criminal act is to be assumed to have been of sound mind (and hence "responsible") except where the opposite fact is revealed. Unfortunately in English, American and Continental practice the determination of the psychological evidence of irresponsibility is too often reduced to a contest of partisan psychiatrists. He points out such defects as the "right and wrong" test of the American and English courts; the assumption that a psychiatrically "sane" person may be legally irresponsible, and a legally "responsible" person may be psychiatrically "insane"; the legally permitted splitting of the conduct of the accused into areas of responsibility and irresponsibility. The latter point disregards completely the modern psychiatric principle that any act of the patient may be evidence bearing on the question of his total psychiatric evaluation, and as such cannot be segregated from the remainder of his behavior. The author points out that some of these defects are found in the theory and practice of Continental as well as Anglo-American courts.

In his treatment of the Continental practices Russia (before the Revolution) is the one state to reveal anything like a proper appreciation of the role of the psychiatrist, and to put on the state as prosecutor the responsibility for determining the mental status of the accused whenever there is a suspicion on this point. There, however, as apparently everywhere else, the jury has the last word. It can disregard the evidence of psychiatrists, whether neutral or

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partisan, because evidence consists of matters of fact, of which the jury is the final judge. There is one point of criticism which might be urged here. Brasol has apparently not noted how slight is the use of the jury in criminal cases in the United States.

The final chapter, on crime and mental diseases, is a good summary of this topic, but presents nothing radically new.

This book is commended to the legal reader for its virtue of presenting from a practical lawyer's standpoint, not only the legal but also the racial and psychiatric elements of crime, and for its intelligent attempt to indicate how the psychiatric aspect fits into the problem of the determination of guilt; and to the criminologist, for its reasonable use of legal data.

C. E. GEHLKE

WESTERN RESERVE UNIVERSITY

The Natural History of Revolution. By LYFORD P. EDWARDS. University of Chicago Press, 1927.—xvii, 229 pp. $3.00.

Professor Edwards' book makes an interesting and useful attempt to live up to its title. He studies human behavior in great revolutions as the biologist might study animal behavior, and intends to find laws for the development of revolutions as the physician might seek to find laws for the development of a disease (the parallel is meant to be suggestive, not exact—Professor Edwards makes no crude statements about revolution as a disease of the "body politic"). He discovers a definite cycle for the great revolutions of the past, from the preliminary symptoms (restlessness, increased criminality, repression of fundamental wishes in certain classes of society) through the advanced symptoms (transfer of the allegiance of the intellectuals from the rulers to the oppressed, and the formation of a "social myth") to the outbreak of revolution (largely by accident —the Bastille, the Boston Tea Party), its development under the moderates, the growth of the radicals, the reign of terror, the inevitable reaction, and the accommodation with the past. Professor Edwards admits that most revolutions fail to go through this cycle; some are abortive, and others remain moderate. Most of his conclusions are based on four great political revolutions, the English Puritan, the American, the French and the Russian.

The author himself very honestly admits certain inadequacies in his work. He has not studied a sufficient number of revolutions, and has examined insufficiently certain sociological aspects of revo-

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lution—social contagion, the connection between revolution and the *mores*, between revolution and institutionalism (pp. 210-211). Professor Edwards is certainly justified in taking the tentative and undogmatic tone he does. For even if history can be regarded as a vast accumulation of brute fact suitable for scientific induction, our present standards for historic accuracy are so high that only the specialist can feel reasonably safe in dealing with them. It is clear that Professor Edwards is not a specialist on the French Revolution, for instance. He states that "Robespierre confiscated the estates of the aristocrats and divided them among the three million French peasants whose descendants own them to this day" (p. 187). He is of the opinion that Marat, Danton, Robespierre, etc., whatever their failures, were "the ablest rulers France had had for many generations" (p. 157). The snobbishness of the specialist, however well founded, is indeed unpleasant; and Professor Edwards' attempt to see beyond the trees is worthy of all praise. But in its actual execution, his work comes down to a theory illustrated by readings in universal history; it has more affinities with the work of the *encyclopédistes* than with that of the modern physical scientist.

Whether or not Professor Edwards' intention of writing a natural history of revolutions could be carried out successfully after a heroic lifetime of investigation into historic fact is an interesting question. It is possible that history does not, and cannot be made to furnish facts which can be used as the biologist, for instance, uses his observed facts. The period covered by written history is pitifully short; the records, even after the best of criticism has been exercised upon them, remain inadequate in quantity even if sound in quality. Precisely the sort of sociological data now so highly prized is just what our ancestors failed to preserve. Causation, especially when human actions are concerned, is infinitely complex. Even when the historian lists the "causes" of the French Revolution, he cannot possibly weigh and measure them as the chemist can the elements of a compound. Finally, it is possible—and this is a doubt which holds for all the social sciences—that the mechanical theory of causation we have inherited from eighteenth-century science is inadequate for the study of society. Every revolution, for instance, may be unique, and hence unpredictable. Now, none of these objections may be valid; but they must be overcome before a satisfactory natural history of revolutions is written.

CRANE BRINTON

HARVARD UNIVERSITY

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BOOK NOTES

Of great interest and value to all students of international affairs is a set of twenty-one volumes entitled *My Diary at the Conference of Paris*, by Mr. David Hunter Miller (New York, Appeal Printing Company, 1928. 21 vols. and 1 vol. of maps), who probably had as much direct contact with the writing of the Treaty of Versailles as it was physically possible for any one individual to have. In 1917 Mr. Miller was appointed special assistant in the department of state and became a member of the inquiry which under Colonel House prepared data for the Peace Conference. Later he was attached as legal adviser to the mission of Colonel House in Paris, and on November 30, 1918, was appointed legal adviser to the American Commission to Negotiate Peace. With Sir Cecil Hurst, of the British Foreign Office, he drew up the final draft of the Covenant of the League of Nations. In these twenty volumes, containing about ten thousand printed pages, Mr. Miller has included his diary almost verbatim as it was dictated from day to day, together with a great many other documents. Volume I contains the diary and a few other papers, including a list of the personnel of the Conference. Volumes II to IX contain what Mr. Miller designates as Numbered Documents, of which there are no fewer than 1,008. These Numbered Documents are of almost every conceivable variety and include letters, memoranda, tentative drafts and photographs. Volumes X to XIII contain reports of various commissions, while volumes XIV to XVI record the Minutes of the Supreme Council. Volumes XVII and XVIII are Bulletins of the American Commission to Negotiate Peace. Volume XIX is a book of Annotations of the Treaty of Versailles, of the Treaty with Austria, and certain Italian questions, made during the Conference. It alone would be a reference work of much value. Volume XX contains some Conference Minutes and a number of miscellaneous papers. Some fifty maps are included in the text of the first ten volumes. In addition to these, there is a separate box volume of seventeen maps which because of their size could not easily be inserted in the text volumes themselves. Volume XXI is an index volume of 135 pages, containing also a list of errata and corrections to be noted in the earlier volumes. A very large proportion of the

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material included in these volumes consists of hitherto unpublished documents. The diary was printed in an exceedingly limited edition. Through the generosity of Mr. Miller a complete set has been presented by the Carnegie Endowment for International Peace to each of the following important libraries in the United States and foreign countries: Department of State, Library of Congress, University of California, University of Chicago, Columbia University, Harvard University, Princeton University, Yale University, University of Michigan, University of Berlin, Bibliothèque Royale de Belgique, Brussels, Bibliothèque du Palais de la Paix, The Hague, League of Nations, British Museum, Bibliothèque Nationale, Paris, Biblioteca Nazionale Centrale Vittorio Emanuele, Rome, and the Public Library of New South Wales, Sydney. The documentary material regarding the Conference at Paris is voluminous and much has already been written by persons who had more or less to do with the framing of the treaty. Nevertheless the record is still incomplete and is not to be found in any one place. Several of the participating governments have complete official files and in addition have preserved the records of their own official representatives at the Conference. The complete story of the Conference would include all the records of all the participating governments and in addition all the memoranda of participating individuals.—C. C. WILLIAMSON, Columbia University.

The Collected Papers of Paul Vinogradoff (Oxford, Clarendon Press, 1928; 2 vols., viii, 326; 509 pp. 42s.) present a most valuable collection of essays published by the great Anglo-Russian scholar at different times and in different languages. The essays are preceded by a bibliographical sketch by Mr. H. A. L. Fisher, which was issued separately for private circulation a year ago and was reviewed in the POLITICAL SCIENCE QUARTERLY for March, 1928. The first volume of the collection is devoted to papers dealing with historical subjects. It includes such epoch-making essays as "A Note Book of Bracton," first published in *Atheneum*, in 1884, "A Text of Bracton" (1885), and "Folkland" (1893). It will be remembered that the latter essay established a new theory, which has since gained general recognition, as to the meaning of the term "folkland". The second volume contains a number of papers dealing with legal subjects in which Professor Vinogradoff became particularly interested in later years. Among them is "The Teaching of Sir Henry Maine" which is believed by some writers to be the best analysis of the work of Vinogradoff's great predecessor in the chair of jurisprudence at Oxford.

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The second volume also contains under the titles "The Church" and "The Sources of Law," two previously unpublished chapters of the third volume of *Outlines of Historical Jurisprudence*, the completion of which was prevented by Vinogradoff's death. The collection ends with a valuable and most imposing bibliography of Vinogradoff's works. The volumes are printed with that consummate art of which the Clarendon Press seems to hold the secret. Lady Vinogradoff deserves the sincere gratitude not only of the many friends of her late husband, but of all students of history and jurisprudence, for bringing out this fitting and lasting memorial to a great scholar.—MICHAEL T. FLORINSKY, Columbia University.

The Borzoi Historical Series has made ambitious claims of embodying in special degree the ideas of the "new history", the history which holds in perspective all the social sciences and not politics alone. Dr. Alexander Clarence Flick's *Modern World History* (New York, Alfred A. Knopf, 1928; 734 pp. $5.00), covering the entire period from 1776 to 1926 and all countries and continents, is one of the most ambitious books in that series. Perhaps it is not the fault of the author that the claims of the publisher and the editor arouse false expectations in the reader. As a matter of fact it devotes about the same proportion of space to social, economic and intellectual affairs as any of the good standard texts of European history since James Harvey Robinson set the new style, and though it is a "world history" the world outside of Europe is treated in the main as merely incidental to European development. Nor is there, for the greater part of the book, any evidence of unorthodox opinions. The general point of view is liberal, friendly to democratic movements and hostile to hereditary privilege, but the same might be said of the textbooks of Hayes, Hazen, Turner, Schapiro, Robinson, Beard and nearly all other American interpreters of modern Europe. Conservatives seem unable to write popular histories in this country, and even in England they are in a minority in the profession. Up to a certain point, 1914, and again beyond that point, *Modern World History* is simply a good, standard, thoroughly conventional textbook. But into the diplomatic crisis of 1914 is suddenly interjected a chapter on "The Causes of the World War" which is not a narrative at all but a passionate attack on the Entente Allies. It juts out from the placid narrative of the rest of the work like a foreign body, or the work of another hand. It is as inconsistent with the rest in opinion as in tone; in other chapters blame is rather impartially divided among the Powers

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for diplomatic sins and errors, but in 1914, and rather melodramatically, France, Russia and Britain become villains of the piece. We have such sweeping statements as "In 1898 Spain made a far more complete surrender to the terms of the American ultimatum than did Serbia to the Austrian demands" (p. 545); the Russians were "fully conscious that their acts would unavoidably produce a general European war" (p. 546); France "did everything possible to make the war inevitable" (p. 548). Grey "must now be included as second only to the French, Russian and Austrian diplomats in degree of actual and immediate responsibility for the world conflict" (p. 552). All this is hammered in at great length by dint of mere assertion, as if indignant emphasis could take the place of scientific analysis. Fortunately, this fever fit of 1914 once over, the author again becomes his normal self and ceases to pound the table, treating the war, the peace and the post-war problems in a fair, if somewhat colorless, fashion. In a book of such broad scope many topics must needs be slighted, but surely Fascism should not have been passed over with a single sentence (p. 586).—PRESTON SLOSSON, University of Michigan.

Professor Alfred Zimmern's *Learning and Leadership. A Study of the Needs and Possibilities of International Intellectual Co-operation* (New York, Oxford University Press, American Branch, 1928; 111 pp. $2.00) was originally presented as a report to two Committees of the League of Nations. It is a matter for congratulation that the essay has now been made more accessible. Professor Zimmern is concerned with the familiar problem of how man is to gain control over a world quite new in scale, in complexity, and in speed of change. This can only be done by organizing the intellectual capacities of our generation for effective participation in world affairs. Thus Professor Zimmern puts his faith in education (something much broader than mere schooling of course); his most concrete suggestions occur chiefly in the section on "the seven stages of public education". But equally illuminating are the comments on the general relationship between learning and public affairs, and on the problems of intellectual life. Probably not all readers will be able to share the author's confidence in the powers of education, but all will be charmed by the style and penetration of the analysis which he has made. Not unworthily has this essay been compared to Matthew Arnold's *Culture and Anarchy* and Newman's *Idea of a University*.—THOMAS PEARDON, Columbia University.

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Dr. Géza Engelman's concise volume on *Political Philosophy from Plato to Jeremy Bentham* (Translated by Karl Frederick Geiser. New York, Harper and Brothers, 1927; xxiv, 398 pp. $3.00) was well worth translating. The idea of the book, to present without comment or annotation the essential thought of an historical array of political philosophers, is an admirable one and excellently fulfilled. Each selected masterpiece, from Plato's *Republic* to Bentham's *Principles of Morals and Legislation*, is given in miniature, with fine simplicity and clarity, in such a way that it prepares and stimulates the reader to turn to the original rather than to accept the digest as a substitute for it. The works thus interpreted are well chosen, though one might cavil at the selection of the *De Cive* of Hobbes instead of the *Leviathan*, especially in view of the direct relation of the latter to the work of Locke and of Rousseau. The translation preserves the flavor of the original, and the value of the work is enhanced by the introductory statement on each thinker provided by Professor Jászi. The introductions are of an historical and descriptive rather than a critical character, bringing out the personality of the writer in each case and his relation to his times. Altogether the book can be highly recommended as offering a first-rate introduction to the history of political theory, for which there is a distinct place in college teaching. The portraits which accompany the text add to the amenity of the volume, with the possible exception of the frontispiece representing Plato.—R. M. MACIVER.

The most disappointing thing about Gaspar G. Bacon's *The Constitution of the United States* (Cambridge, Harvard University Press, 1928; xv, 201 pp. $2.00) is that so bad a book should not be worse. Its execution is excellent. The story of the constitutional convention is told with crispness and lucidity and with an excellent sense of proportion. The main features of our constitutional system are outlined with clarity. Had the author been content to confine himself to a rehash of familiar, elementary learning, he would have provided a most acceptable primer for beginning students of our form of government. Only when he intrudes his own judgments does he open himself to any serious criticism. These judgments are as familiar as the story in which they are embedded. Judicial review "does not make the Court 'superior' to Congress or to the President. . . . The power of the people is superior to all three, and where the will of the legislature or of the executive stands in opposition to that of the people, as declared in the Constitution, the courts will be governed by the latter." "Too much centralization in Wash-

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ington is the real danger today. Bureaucratic government has grown to abnormal proportions. Socialistic cure-alls are prescribed instead of sound and well-tried remedies. We are losing sight of fundamentals." "The whole idea of a federal estate tax, except as an emergency measure in war time, is wrong anyway." The proposed Child Labor Amendment, "like the Education bill, . . . received the support of the Socialists and Communists in the country." From these few quotations, one may know the rest. The author expresses his views with a dogmatism and self-confidence that a more subtle and skeptical inquirer could never attain. Many of the views may have more sense in them than opposite views would have. Most of us, however, would upon reflection find it necessary to introduce more shades of gray and to refrain from such a startling checkerboard of white and black.—THOMAS REED POWELL, Harvard University.

The second edition of Professor Dodd's well known text on *State Government* (New York, The Century Company, 1928; 578 pp. $3.75) is, as the author observes in his preface, really a new book. Only eight new pages have been added, but practically the whole of the book has been rewritten. Chapter titles and chapter positions have been altered. As of old, however, stress is laid primarily upon a rather detailed description and criticism of state governmental organization. Except for one chapter, and a few isolated passages here and there, very little attempt has been made to describe the numerous activities which the various states are finding themselves, almost of necessity, compelled to undertake. Politics and processes, it would seem, should have been more fully considered, even though such a procedure would have involved a more summary treatment of other material. Governmental agencies are not created merely for the sake of their own existence. In some way or other they perform functions, and to leave their activities out of the narrative is to tell but half the story. Whatever faults one may find in this respect, however, are, to some readers at least, more than compensated for by Professor Dodd's statements regarding the "yardstick" of judicial interpretation. Not that he has broken any new ground; one hardly expects to find that in a text-book. We have too long assumed, yet knowing better all the while, that man, once he acquired membership in the "aristocracy of the robe", left behind him, as a legacy to private life, all habits, customs, and mental attitudes with which he was familiar and possessed. Being now elevated to a judgeship, he was expected to decide the most momentous questions with an inhuman calm and dispassionate-

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ness. Virgin wisdom and divine justice were to be his only agents. The mere fact that Professor Dodd doubts, and he more than doubts, that this supposed ideal is always adhered to, is noteworthy; for it is indicative of a changing, if not changed, outlook. He has placed in a book, a book which youth will read, statements that have long been considered blasphemous. Nor does one doubt what the author considers the major plank in the platform of state governmental improvement. "Simplification", again and again the reader has this world hurled at him. Simplify, for not until then can state government be changed for the better. There are several errors of fact. On page 197, note 28, the author speaks of the Kansas state printer as an official who is elected by the state legislature: that officer is elected by popular vote in November of every even-numbered year for a two-year term to commence in the July following his election. Nor is it true, as the author states on page 54, that *every* agreement and compact entered into between states must receive the consent of Congress. *Virginia v. Tennessee*, 148 U. S. 503, is authority for the rule that those compacts and agreements which do not tend "to the increase of political power in the States" are exempt from this requirement. Lastly, although this is hardly an error of fact, it is obvious that the conjunction "but" should have been placed between the first and second sentences of the paragraph which commences at the bottom of page 338. That one omission mars an otherwise perfect example of proof reading. But in any case, those who have, as well as those who have not, previously used Professor Dodd's text will find in the second edition a much improved book.—RAYMOND A. LEYDIG, Columbia University.

A survey of one of the most important aspects of American public affairs has recently been published by the Johns Hopkins Press. Under the title *Group Representation before Congress* (Baltimore, John Hopkins Press, 1929; xviii, 309 pp. $3.00) the author, E. Pendleton Herring, attempts to draw a picture of the "national associations and societies that come to Washington and attempt to influence the government." The study in consequence is much more than a study of the old-fashioned lobby. In the opinion of many the development of the extra-constitutional organs of government portrayed here is as important as the rise and evolution of the political party. It may indeed foreshadow the "restructuralization" of human society. Although Mr. Herring's treatise is by no means the first analysis of the phenomenon, it is, so far as the reviewer knows, the first attempt to give a rounded picture of the situation as it

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exists at the national capital. Within its pages are to be found thumbnail sketches of the most important associations now located at the head of government and—more important perhaps—brief analyses of their technique. Chief among these organizations are, of course, those representing big business, headed by the Chamber of Commerce of the United States, the farm organizations, organized labor, the professional societies, the women, organized reform, the nationalists and internationalists. One may regret that the author was unable to analyze the influence and technique of each of these organizations or groups of organizations in greater detail; nevertheless, as a preliminary survey of a field demanding careful study Mr. Herring's work is significant indeed.—SCHUYLER C. WALLACE, Columbia University.

In the publication of *The American Party Battle* (New York, The Macmillan Company, 1928; viii, 150 pp. $1.50) by Charles A. Beard, the Macmillan Company has very definitely lived up to the aspiration of its World Today Bookshelf expressed, as it is, in the slogan, "a group of short, stimulating books on man and his world, by distinguished writers". Although Dr. Beard has, perhaps, oversimplified matters in presenting our party battle as essentially one between capital and agriculture, nevertheless the argument is masterful and the thesis certainly tenable. The fact that much of this material has been presented before both in the author's *American Government and Politics* and in the *Rise of American Civilization* in no way detracts from the brilliance of the performance or the value of the little volume.—SCHUYLER C. WALLACE, Columbia University.

Canada in the Commonwealth (Oxford, The Clarendon Press, 1929; xv, 144 pp. $3.75) embodies the substance of a series of lectures delivered at Oxford by Sir Robert Borden as the first lecturer on the Rhodes Memorial Foundation, established in 1926. As Prime Minister of the senior British Dominion during and immediately after the World War, Sir Robert played a great part in the rapid evolution of the British Commonwealth then in progress, and decidedly the most valuable chapters in this book are those in which he describes and comments upon events with which he was intimately associated. Some of these he has already discussed in his *Canadian Constitutional Studies*, published in 1922. It was natural, as he observes, that Canada should take the lead in securing recognition of the advanced constitutional status of the Dominions, and this seems to have been invariably the case at the Peace Con-

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ference. To him more than to any other statesman was due the distinctive representation of the Dominions at the Conference, their participation through their own plenipotentiaries in the signature of the Treaty, their individual membership in the League of Nations and their eligibility as members of the governing body of the International Labour Organization; and it was he who paved the way for the establishment of a Canadian legation at Washington. Though he signed the Treaty as one of the Canadian plenipotentiaries, he does not attempt to justify it in its entirety. In brief concluding chapters he gives some account of the Washington Conference, which he attended as Canada's delegate, and traces the constitutional evolution of Dominion status since the war.—R. L. SCHUYLER.

In *Empire Government* (London, George Allen & Unwin Ltd., 1928; 256 pp.) Manfred Nathan, advocate of the Supreme Court of South Africa and author of works on South African law and international law, undertakes to give a concise account of the systems of government in the British Empire. In view of recent constitutional developments there is need of such a sketch, but unfortunately the author has not succeeded in his laudable endeavor to make his as accurate as possible. On a single page he asserts erroneously that Parliament cannot alter the King's title and gives the title incorrectly, though he places it within inverted commas. In general, one cannot safely rely upon his statements. Nevertheless, some of his comments are suggestive and helpful. — R. L. SCHUYLER.

Dollars and World Peace, by Kirby Page (New York, George H. Doran Company, 1927; 214 pp. $1.50) is a study of nationalism, industrialism and imperialism, and has for its purpose the promotion of peace and international good will through an intelligent understanding of the economic structure of our modern world and its present political shortcomings. Mr. Page goes straight to the heart of our present international difficulties by considering nationalism in its various aspects, showing how within the national area it is a most unifying force, while outside it is the most divisive force in the world today. National interest calls upon the state to preserve its own existence and advance the welfare of its own citizens; and in the furtherance of this ideal nations stop at nothing. When the national state has reached a certain point of development the next step is in the direction of imperialism, and weaker peoples of Asia, Africa and Latin America are exploited primarily for the profit of the mother country. Thus imperialism is the logical development

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of the doctrine of national interest. This is possible because all nations hitherto have accepted the dogma of sovereignty—the right to do as you please—which leads straightway to anarchy and war. Most wars involve questions of national honor, and few have been the nations which have shown any desire to arbitrate a quarrel involving their "honor"; like duellists of old they believe that honor can be protected only by challenge to mortal combat. Back of all this action which so often seems utterly irrational is the powerful passion of patriotism which causes a people to fight blindly, wholly confident of the righteousness of their cause and the nobility of their nation. The same forces which made the national state out of free cities, principalities and provinces are creating before our eyes a larger community than the nation. This community is the world of civilized man, and the cement of this newer union is the economic interdependence of mankind. No nation is now self-sufficing, not even our own. Mr. Page gives illuminating statistics of trade and investment, and concludes, "year by year we are penetrating deeper and deeper into the economic and financial life of the world. It is too late to turn back. International competition over raw materials and markets is becoming more terrific every year. The peace of the world in the decades ahead will be determined primarily by what we do about our dollars in other lands." Is the United States imperialistic? The War of 1812 did not succeed with regard to Canada, but the Mexican War was a very successful war of conquest. The Spanish War gave us Porto Rico and the Philippines. We intervene at will in the Latin-American countries. Where we had a great interest, President Roosevelt "took the Canal Zone and let Congress debate." Our Monroe Doctrine is what our state department interprets it to be; no two men today would probably agree as to its meaning. The Latin-Americans think that it is a cloak to cover imperial ambitions on our part. Others fear us, for they cannot understand us. We refused to join the League of Nations, and would not become a member of the Permanent Court of International Justice except on terms which the present members could not accept. What we need is a constructive foreign policy; we should join the League and participate in the work of the Court. The "outlawry of war" proposal is inadequate; it places too much reliance upon juridical agencies to the neglect of political action, and makes no provision for the removal of the causes of war. We should help to remove trade barriers between nations. We can apply the open-door policy to our own possessions; we can reduce our

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protective tariffs gradually, and, finally, we can coöperate wholeheartedly with the Economic Section of the League of Nations and the International Labour Office with the object of securing fair treatment for all peoples in the international field. The reparations-debt question is not settled. "Reparations and interallied debts are two phases of the one problem of war payments", and our president should call a conference to deal with this whole problem. We should be willing to make a workable compromise, scaling down debts and reparations, to the end that international friendship and coöperation may be promoted. We have reviewed in bare summary the main points of this most interesting and instructive little book. Mr. Page is to be congratulated upon having produced a very realistic study, one whose economic groundwork is thoroughly sound. His reading in the field is wide, and he has shown good judgment in the use of material. His purpose has been not to present a new viewpoint, so much as to emphasize those ideas concerning the interdependence of nations, which are making for world organization and peace.—HERBERT F. FRASER, Swarthmore, Pennsylvania.

In *Le Problème Ouvrier aux États-Unis* (Paris, Librairie Félix Alcan, 1928; xix, 559 pp. 50 fr.) Professor André Philip makes a contribution of more than passing interest to American labor literature. Despite the pseudo-democratic character of the American constitution and the presence of the Statue of Liberty at the port of New York, Professor Philip sees in the United States the world's best example of capitalistic domination. To the employer and the employer's methods he wisely devotes the first of the two parts into which his book is divided. Because it is impossible to measure work fatigue with precision and to determine scientifically the task to be performed, scientific management has, according to Professor Philip, often lent itself to shameless exploitation of the workers; personnel management is but the logical generalization of scientific management; employee representation, having several objects in view, attains only one, that of destroying the union. All these methods of the employer are based upon the old liberal theory of harmony of interests; he recognizes social antagonisms, but dismisses them as accidental and banishable by intelligent members of his group. Part II deals, by industries, with the laborer and his methods. Iron and steel, building, transportation, printing, mining and clothing are considered—and also, briefly, the revolutionary organizations. Aware of the risks run by the prophet, Professor Philip nevertheless ventures three "*hypothèses fondamentales*", of

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which the first two presuppose a general and durable prosperity. (1) The A. F. of L. will fail to adapt itself to advances in industrial technique, the employer will triumph and the labor movement collapse. (2) In various ways the A. F. of L. will make a sincere attempt at adjustment to changing conditions, on the whole the labor movement will prosper, and a new type of stabilization will result with integration of the labor movement in the capitalistic economic system. (3) In the event of a severe economic crisis, the workers, accustomed to a high standard of living, will revolt all the more violently when suddenly reduced to misery. We can but wish that Professor Philip had felt disposed to turn his keenly observant eye upon the increasingly important rôle played by the state in the great drama of social conflict, for what the foreigner inevitably lacks in sympathetic understanding, Professor Philip more than makes good by his freshness of interpretation.—E. E. CUMMINS, Wooster College.

Though cast in the form and under the title of a text, Professor C. R. Fay's *Great Britain from Adam Smith to the Present Day* (New York, Longman's Green and Company, 1928; 458 pp. $3.75) cannot be dismissed so lightly. What is furnished in somewhat unconventional arrangement is the best one-volume economic history of Britain for the past one hundred and fifty years. Introduced by a chapter on Adam Smith, the book is divided into four parts, Fiscal Policy and Finance, Trade and Transport, Agriculture and Industry, and Life and Labour, each of which is carried through the whole period. Part one, treated largely in terms of important statesmen, for example, Huskisson, Peel, and Gladstone, is perhaps the most valuable of the four. Personalities are not overemphasized, and behind their names is presented a very welcome sketch of the financial side of the industrial revolution, an aspect of which all too little is known. Parts two and three, though more frequently treated in general surveys, are freshly written, and the author's sound knowledge of economics has precluded those facile generalizations which too frequently characterize writing on these themes. The final part is of course excellent. Professor Fay's monographs on the human as opposed to the machine aspects guarantee extensive knowledge which does not smother the reader. The book though not easy reading has this virtue: it is lucid. It is a pleasure to welcome a book by an author who is at once an historian and an economist.—C. F. MULLETT, Columbia, Mo.

Dr. Herbert Feis has written a study of the labor-management methods and policies of the manufacturers of Ivory Soap entitled

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Labor Relations: A study made in the Procter and Gamble Company (New York, Adelphi Company, 1928; ix, 170 pp. $2.00). Too often such studies are merely devices for advertising a company's business, or for boosting some nostrum of an industrial relations expert. In the present case the company put at the disposal of the author "every facility for an examination of its policies and experience"; but his account is a detached and critical appraisal, and gives no evidence of company control. Happily, also, Dr. Feis has avoided the common practice of giving elaborate descriptions of personnel management machinery and departmental organization. Instead, he attempts to picture to the reader the mind of the controlling management, to show its spirit, its ideas and theories about labor relations, and the extent to which its desire to maintain what it considers proper relations with its employees is made good in concrete performance. We are impressed, and rather surprised, to find that in such matters as safety work, hours of labor, a suggestion system and employee representation, in which many corporations have shown a high level of accomplishment, the company under investigation showed the least progress and a good deal of backwardness. On the other hand, in such matters as profit-sharing, wages and earnings, and regularization and guarantee of employment, in the management of which most employers have been timid, traditional, and on the whole we may say unsuccessful, the company has shown a fine spirit of bold and scientific initiative. In these it shows the highest level of accomplishment, well in the lead of the industrial management of the country generally. In line with the prevailing tendency, "the method of wage-payment has been switched in recent years from an hourly wage system to a piece or bonus plan of payment," wherever it has been possible to standardize and measure production. But unlike most other so-called wage-incentive plans, the method adopted by the company does not involve decreased pay per unit for all that is produced above the standard task. The worker is thus given the fullest incentive for increasing his output. The company guarantees forty-eight weeks' work, or forty-eight weeks' pay, to every employee who has worked six months and has become a profit-sharer; and almost three-fourths of its workers in Cincinnati are thus protected. To make this possible a complete change in sales policy and a reorganization of sales methods was necessary, as it required selling direct to retailers and elimination of wholesalers, whose price speculation caused fluctuations in production schedules. This involved great expense but

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has apparently proved to be good investment. The profit-sharing plan dates from 1886. It has been modified several times since then and supplemented with a pension and benefit plan. "Any one would be a fool who didn't belong to it", was a truck-driver's summing-up. About three-fourths of all employees are eligible and about ninety per cent of these participate. The management of the company takes the position that it is both its right and its responsibility to determine wages, hours, and other conditions of employment. Its Employee Conference Plan in no sense gives the workers a voice in these matters, and this probably accounts for the lack of vitality in its representation plan. The book presents a careful record, critically analyzed, of what a management with such views of its prerogatives, and a high sense of its duties under the circumstances, has succeeded and failed to accomplish in handling its labor relations during the period since the war.—W. M. LEISERSON, Antioch College.

In an exceedingly sympathetic manner Elise Glück has portrayed the life of one of the great labor leaders of the country. The volume, entitled *John Mitchell* (New York, The John Day Company, 1929; xvi, 270 pp. $5.00), is much more than a mere analysis of an aspect of the labor movement—it is the study of a personality. Although a slight assumption of some familiarity with the organization of the miners is present in the early pages of the book, nevertheless the very glossing over of the technical details of unionism has in itself contributed to the end the author has in view —an understanding of the character of the miners' leader. Professor John R. Commons, who has written an introduction for the volume, is certainly guilty of no hyperbole when he concludes his prefatory remarks with the sentence: "This biography is a useful lesson in leadership and democracy."—SCHUYLER C. WALLACE, Columbia University.

Capitalism has proved to be a favorite subject for economic historians. Until recently the excellent works by J. A. Hobson, *The Evolution of Modern Capitalism*, and Werner Sombart, *Der Moderne Kapitalismus*, covered the field. Now to them have been added Henri Sée's *Les Origines du Capitalisme moderne* (1926) and Paul Jostock's, *Der Ausgang des Kapitalismus* (1928). The reception given Professor Henri Sée's work—*Modern Capitalism: Its Origin and Evolution* (translated by Homer B. Vanderblue and Georges F. Doriot. New York, Adelphi Company, 1928; xvi, 225 pp. $3.50)—was from the first most enthusiastic and its in-

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fluence on American scholars was immediately reflected in the recent *Economic History of Europe*, by Knight, Barnes and Flügel. In fact, his book proved so popular that Professors Vanderblue and Doriot of the Harvard Graduate School of Business Administration undertook its translation. The English edition is in a sense a second edition, for several changes have been made in the text and many titles have been added to the bibliography. The translation has been done with care and it will prove to be a very useful "synthetic sketch of a very vast subject" for those who do not know French.—SHEPARD B. CLOUGH, Columbia University.

The biography of Machiavelli has fascinated historians for upward of five centuries. On the strength of it, the Italian historian Villari rose to fame. Nor would anyone deny the importance of the penetrating essay of Frederick the Great, as a contribution to Machiavellian criticism. Dr. Orestes Ferrara, Cuban ambassador to the United States, of Italian origin and of broad European culture, adds to the list a modern biography of Machiavelli, done with the talent of the expert statesman and the extreme care of the historian. His *Machiavel* (Paris, Librairie Honoré Champion, 1928; viii, 370 pp. 30 fr.) is the result of years of patient delving into the manuscript sources of the life of Machiavelli, as discovered in the archives of Rome and Florence. In the first part of the book we find a composite picture of Machiavelli, as revealed in earlier biographies. Dr. Ferrara's own interpretation begins with Machiavelli's ancestry, education, private life and activities as an intellectual mentor of the "condottieri". There follow chapters on his chief political writings, his comedies, his historical writings, his essays on military strategy, and a general appraisal of the man, as seen through the eyes of a modern diplomat-historian. The author points out the almost symbolical coincidence between the tragic death of Savonarola and the first entrance of Machiavelli into public life, when the impassioned sermons of the monk, often inspired by morality alone, denounced Church abuses and the corruption of mankind, without any positive program of reform. Machiavelli alone centered on the necessity of creating a powerful political system. Nothing is more contrary to the prophetic visions of Savonarola than the practical perception of life held by Machiavelli. The relations between Machiavelli and Cesare Borgia, the radiant duke whom Machiavelli considered later in his *Principe* the ideal image of the statesman, afford, in Dr. Ferrara's opinion, explanation of Machiavelli's theory of the "*raison d'État*", justifying any excess to se-

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cure and maintain power. Dr. Ferrara insists on the curious opposition between the broad political conceptions of Machiavelli and the modest task of a public servant, always willing and zealous to comply with the orders of his superiors. When Florence is taken again by the Medici, Machiavelli shows no repugnance to serve the new masters, yet his efforts to retain his office are unsuccessful, and he is exiled from Florence, implicated in a conspiracy, imprisoned and tortured. Released in 1513, he retires to a farm near San Cassiano, and here it is that Dr. Ferrara gives new details of that phase of his life. For the author made a thorough investigation of all Machiavelli's letters to Vettori, written during this period. To the enforced leisure at San Cassiano, so important for posterity, may be ascribed the production of the *Principe*, of the *Arte della guerra*, and others. The *Discorsi sopra la Deca di Tito Livio* is a complement to the *Principe*. Dr. Ferrara analyzes in detail the conception of liberty and of the state, upon which the two works are based, and points out how Machiavelli made his inquiry into the genesis and maintenance of states, completely disregarding the medieval authors. Machiavelli considered "everything that happened after the fall of classical Rome as not worthy of mention". Modifying a judgment of the French historian Montaigne on the *Discorsi*, Dr. Ferrara believes that those who considered this work a hymn to liberty have an incomplete idea of the conception of Machiavelli, which embraced the general organization of the state and not a specific form of government. In the last chapters of the volume Machiavelli is accurately examined as an author of comedies and as an historian. "If posterity generally undervalued Machiavelli", Dr. Ferrara concludes, "we must recognize that he first held posterity in contempt". In our opinion, the greatest worth of the present biography is the brilliant analysis of the psychology of Machiavelli, offering us, for the first time, a picture of the real, the human Florentine.—G. C. Rocca, Washington, D. C.

The contrast between the greatness of Lafayette's influence and the smallness of his personal endowments is such as to tempt the new biographers. Mr. J. S. Penman in his *Lafayette and Three Revolutions* (Boston, The Stratford Company, 1929; iii, 362 pp. $5.00) has withstood temptation, and written a sober, well-balanced narrative. The book affords the best account in any language of Lafayette's long career in Europe and in America. Mr. Penman in his preface accepts his hero as a great man, and in his dedication shows himself to be sympathetically aware of the existence of the

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traditional friendship between the United States and France. Yet he is so good an historian that his actual text brings out clearly the weakness, lack of penetration and vaingloriousness of Lafayette, and the numerous misunderstandings on which Franco-American friendship is founded. Lafayette's characteristic fit of disappointed vanity at the failure of his Canadian expedition to get beyond Albany, for instance, is fully described, and his letter to Washington quoted at length (p. 37). The numerous quarrels between the Americans and their allies are not glossed over. Lafayette's failure to make use of the commanding position he had gained after the 14th of July, his inability to appreciate Mirabeau's statesmanship, his blundering trip to Paris in the summer of 1792, all appear in Mr. Penman's narrative. Throughout Lafayette's own words are fully cited, and considerable use made of archival material. There are numerous and interesting illustrations, the origins of which are not always specifically given. Perhaps Mr. Penman has provided, though unwittingly, the clue to Lafayette's great historical importance. The very fact that the hero of three revolutions was so little their master, was so little molded to their extremes, makes him all the better as a symbol of what they might have accomplished. He rises above his environment by his very insufficiency to understand it. Democracy was to him—and, one suspects, is to Mr. Penman—so much a matter of words and posing that he was untouched by the unpleasantness and difficulties of applying it to human life. An aristocrat, he remains the ideal democrat of the last century. — CRANE BRINTON, Harvard University.

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